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Washington, Thursday, July 10, 1947

TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 9870

REGULATIONS PERTAINING TO THE GRANTING OF AND ACCOUNTING FOR CERTAIN FOREIGN SERVICE ALLOWANCES AND ALLOTMENTS

By virtue of the authority vested in me by the Foreign Service Act of 1946, approved August 13, 1946 (60 Stat. 999), and by section 202 of the Revised Statutes of the United States (5 U. S. C. 156), it is hereby ordered, in the interest of the internal management of the Government, as follows:

1. The Secretary of State is authorized to prescribe regulations governing the granting and payment of any allowances authorized by section 901 of the Foreign Service Act of 1946: *Provided*, that except as to allowances for the cost of lodging at temporary quarters the Secretary of State shall grant the allowances authorized by paragraph (1) of the said section 901 in accordance with the provisions of Part A of Bureau of the Budget Circular A–8, as it now exists or as it may hereafter be revised. *And provided further*, that the Secretary of State shall grant the allowances authorized by paragraphs (2) (i) and (3) of the said section 901 in accordance with the provisions of Executive Order No. 5643 of June 8, 1931, as amended, which shall be deemed to refer to all officers and employees of the Foreign Service who are citizens of the United States.

2. The Secretary of State is authorized to prescribe regulations governing the accounting for (1) the allowances granted or paid pursuant to section 901 of the Foreign Service Act of 1946 and (2) the allotments of funds made pursuant to section 902 of the said Act.

3. All regulations and orders which have been prescribed or issued by the Secretary of State subsequent to the effective date of the Foreign Service Act of 1946 with respect to the granting or payment of allowances authorized by section 901 of the said Act or the accounting therefor as required by section 903 of the said Act are hereby confirmed and ratified.

4. This order shall become effective as of July 1, 1947, and shall continue in effect to and including June 30, 1948.

HARRY S. TRUMAN

THE WHITE HOUSE,
July 8, 1947.

[F. R. Doc. 47-6471; Filed, July 8, 1947; 2:31 p. m.]

EXECUTIVE ORDER 9871

REGULATIONS GOVERNING THE GRANTING OF ALLOWANCES FOR QUARTERS AND SUBSISTENCE TO ENLISTED MEN OF THE ARMY, NAVY, MARINE CORPS, AND COAST GUARD, AND PER DIEM ALLOWANCES TO MEMBERS OF SUCH SERVICES AND COAST AND GEODETIC SURVEY AND PUBLIC HEALTH SERVICE ON DUTY OUTSIDE THE CONTINENTAL UNITED STATES OR IN ALASKA

By virtue of and pursuant to the authority vested in me by sections 10 and 12 of the Pay Readjustment Act of 1942, as amended (56 Stat. 363, 364, 60 Stat. 853, 858; 37 U. S. C. Sup. 110, 112), I hereby prescribe the following regulations governing the granting of (1) allowances for quarters and subsistence to enlisted men in active service in the Army, Navy, Marine Corps, and Coast Guard who are not furnished quarters or rations in kind; (2) per diem allowances in lieu of actual and necessary expenses to members of the above-mentioned services and members of the Coast and Geodetic Survey and Public Health Service on duty outside the continental United States or in Alaska, whether or not in a travel status; and (3) allowances for quarters to enlisted men of the first, second, and third grades in active service in the Army, Navy, Marine Corps or Coast Guard having dependents as defined in section 4 of the said act, for periods during which public quarters are not provided and available for such dependents:

PART I

A. Enlisted men on duty where quarters or rations in kind are not furnished

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FEDERAL REGISTER

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such in parentheses.

[1] Sec. 202, R. P. 1 of 1947.
[2] Sec. 301, R. P. 1 of 1947.
[3] Sec. 101, R. P. 1 of 1947.
[4] Sec. 401, R. P. 1 of 1947.
[5] E. O. 9871.
[6] Sec. 501, R. P. 1 of 1947.
[7] Sec. 102, R. P. 1 of 1947.
[8] Sec. 201, R. P. 1 of 1947.

CODIFICATION GUIDE—Con.

CODIFICATION GUIDE—Con.

shall be granted daily allowances as follows:

	No Government Messing facilities furnished	Government Messing facilities furnished
1. General—If not otherwise provided for under authority of Parts I A 2 or II hereof, including those absent from their ships on temporary duty not involving travel:		
(a) Subsistence	$2.25	$1.20
(b) Quarters	1.25	1.25
2. Special—Enlisted men assigned to duty where emergency conditions justify such allowances, including those absent from their ships at such places on temporary duty not involving travel, payable at the discretion and upon the determination of the head of the department concerned in lieu of allowances at rates otherwise specified in paragraph 1.		
(a) Subsistence—at not to exceed	3.00	3.00
(b) Quarters—at not to exceed	2.00	2.00

B. Upon arrival at or departure from a station where allowances for subsistence are paid, such allowances shall be computed as follows, the day to begin at midnight: For 18 hours or more at the station, one whole day; for 12 hours or more but less than 18 hours at the station, two-thirds of one day; for 6 hours or more but less than 12 hours at the station, one-third of one day. No allowance for subsistence shall be paid for the day on which a man arrives at a station after 6 o'clock P. M.

C. In determining station allowance for quarters, a fractional part of a day shall be computed as a whole day; payment for station allowance shall accrue from midnight; and station allowance shall be paid for the day of arrival at, but not for the day of departure from, a permanent station.

D. Men traveling on duty, including detentions not exceeding thirty-one days at any one place, when not furnished sleeping-car or stateroom accommodations or other quarters and rations in kind, shall be granted a daily allowance of $5.00: Provided, that when quarters in kind are furnished they shall be entitled only to an allowance for subsistence at the rate of $1.00 per meal, and when subsistence is furnished they shall be entitled only to an allowance for quarters at the rate of $2.00 per day; ex-

cept that where travel is performed by rail or water, the allowance for subsistence shall be $1.25 for each meal required to be taken in a dining car on a train or in a dining room on a steamer, and if quarters are not provided for the day of such travel, the allowance for quarters shall be $1.75 when an allowance for subsistence is so furnished for one meal, $1.50 when an allowance for subsistence is so furnished for two meals, or $1.25 when an allowance for subsistence is so furnished for three meals.

E. For the purposes of this section, quarters in kind shall be considered as furnished for the day of arrival at a permanent station. Men absent under orders from their station upon duty which involves travel and also temporary detentions during the journey shall be deemed to be traveling under orders during the entire period of such absence including the day of departure therefrom and return thereto. For periods of detention in excess of thirty-one days at any one place, the allowances prescribed in Part I, A, above shall be applicable.

F Payments of allowances for quarters and subsistence may be made to enlisted men not more than one month in advance, except that as to men proceeding to or from a station beyond the continental limits of the United States or in Alaska, such payments may be made not more than three months in advance. The heads of the departments concerned may prescribe such additional regulations as may be necessary to carry out the provisions of this paragraph.

PART II

Without regard to monetary limitations contained in the Pay Readjustment Act of 1942 as amended, the heads of the departments concerned may authorize the payment to members of their respective services on duty outside continental United States or in Alaska, whether or not in a travel status, of per diem allowances in lieu of actual and necessary expenses, considering all elements of cost of living, including cost of quarters, subsistence, and other necessary incidental expenses. Such per diem allowances shall be uniform for all the services. The heads of the departments concerned may prescribe such additional regulations as may be necessary to carry out the provisions of this Part, such regulations to be uniform to the fullest extent practicable.

PART III

Each enlisted man of the first, second, or third grade in active service in the Army, Navy, Marine Corps or Coast Guard who is not entitled to a money allowance for quarters in a non-travel status under the provisions of sections 10 or 12 of the said Act of June 16, 1942, and who has a dependent as defined in section 4 of the said Act, shall be entitled to receive for any period during which public quarters are not provided and available for such dependent, the money allowance for quarters prescribed for enlisted men in a non-travel status by Parts I or II above. Any such enlisted man, although receiving an allowance for quarters in a non-travel status prescribed by Parts I or II above, shall be entitled to an additional money allowance for quarters if by reason of orders of competent authority his dependent is prevented from dwelling with him, such additional money allowance for quarters to be paid at the rate prescribed in Part I A 1 above: Provided, that notwithstanding any other provisions herein contained enlisted men on duty ashore, or on ships assigned home ports, outside the continental limits of the United States or in Alaska, who are otherwise entitled to a money allowance for quarters for dependents shall be paid such money allowance at the rate prescribed in Part I A 1 above when their dependents have not established a residence in the locality of their respective permanent station or home port as determined under regulations prescribed by the head of the department concerned.

This order shall supersede Executive Order No. 9386 of October 15, 1943, as amended by Executive Order No. 9561 of June 1, 1945; Executive Order No. 9744C of June 29, 1946; and Executive Order No. 9825 of January 30, 1947, and shall be effective from July 1, 1947 until June 30, 1948 unless sooner modified or revoked.

HARRY S. TRUMAN

THE WHITE HOUSE,
July 8, 1947

[F. R. Doc. 47-6480; Filed, July 8, 1947; 4:23 p. m.]

REORGANIZATION PLAN 1 OF 1947

Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, May 1, 1947, pursuant to the provisions of the Reorganization Act of 1945, approved December 20, 1945

PART I. PRESIDENT AND DEPARTMENT OF JUSTICE

SECTION 101. *Functions of the Alien Property Custodian.* (a) Except as provided by subsection (b) of this section, all functions vested by law in the Alien Property Custodian or the Office of Alien Property Custodian are transferred to the Attorney General and shall be performed by him or, subject to his direction and control, by such officers and agencies of the Department of Justice as he may designate.

(b) The functions vested by law in the Alien Property Custodian or the Office of Alien Property Custodian with respect to property or interests located in the Philippines or which were so located at the time of vesting in or transfer to an officer or agency of the United States under the Trading with the Enemy Act, as amended, are transferred to the President and shall be performed by him or, subject to his direction and control, by such officers and agencies as he may designate.

SEC. 102. *Approval of agricultural marketing orders.* The function of the President with respect to approving determinations of the Secretary of Agriculture in connection with agricultural marketing orders, under the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 608c (9)) is abolished.

PART II. DEPARTMENT OF THE TREASURY

SEC. 201. *Contract settlement functions.* The functions of the Director of Contract Settlement and of the Office of Contract Settlement are transferred to the Secretary of the Treasury and shall be performed by him or, subject to his direction and control, by such officers and agencies of the Department of the Treasury as he may designate. The Contract Settlement Advisory Board created by section 5 of the Contract Settlement Act of 1944 (58 Stat. 649) and the Appeal Board established under section 13 (d) of that Act are transferred to the Department of the Treasury: *Provided,* That the functions of the boards shall be performed by them, respectively, under such conditions and limitations as may now or hereafter be prescribed by law. The Office of Contract Settlement is abolished.

SEC. 202. *National Prohibition Act functions.* The functions of the Attorney General and of the Department of Justice with respect to (a) the determination of Internal Revenue taxes and penalties (exclusive of the determination of liability guaranteed by permit bonds) arising out of violations of the National Prohibition Act occurring prior to the repeal of the eighteenth amendment to the Constitution, and (b) the compromise, prior to reference to the Attorney General for suit, of liability for such taxes and penalties, are transferred to the Commissioner of Internal Revenue, Department of the Treasury: *Provided,* That any compromise of such liability shall be effected in accordance with the provisions of section 3761 of the Internal Revenue Code. All files and records of the Department of Justice used primarily in the administration of the functions transferred by the provisions of this section are hereby made available to the Commissioner of Internal Revenue for use in the administration of such functions.

PART III. DEPARTMENT OF AGRICULTURE

SEC. 301. *Agricultural research functions.* The functions of the following agencies of the Department of Agriculture, namely, the Bureau of Animal Industry, the Bureau of Dairy Industry, the Bureau of Plant Industry, Soils, and Agricultural Engineering, the Bureau of Entomology and Plant Quarantine, the Bureau of Agricultural and Industrial Chemistry, the Bureau of Human Nutrition and Home Economics, the Office of Experiment Stations, and the Agricultural Research Center, together with the functions of the Agricultural Research Administrator, are transferred to the Secretary of Agriculture and shall be performed by the Secretary or, subject to his direction and control, by such officers and agencies of the Department of Agriculture as he may designate.

PART IV FEDERAL DEPOSIT INSURANCE CORPORATION

SEC. 401. *Credit union functions.* The functions of the Farm Credit Administration and the Governor thereof under the Federal Credit Union Act, as amended, together with the functions of the Secretary of Agriculture with respect

thereto, are transferred to the Federal Deposit Insurance Corporation.

PART V. WAR ASSETS ADMINISTRATION

SEC. 501. *War Assets Administration and War Assets Administrator* All functions of the War Assets Administration and of the War Assets Administrator-established by Executive Order Numbered 9689 of January 31, 1946, are transferred to the Surplus Property Administration and the Surplus Property Administrator, respectively, which were created by the Act of September 18, 1945 (59 Stat. 533, ch. 368) The latter agencies shall hereafter be known as the War Assets Administration and the War Assets Administrator, respectively. The agencies established by Executive Order Numbered 9689 are abolished. The functions transferred by this section shall be performed by the War Assets Administrator or, subject to his direction and control, by such officers and agencies of the War Assets Administration as he may designate: *Provided,* That the functions specifically vested in the Surplus Property Administrator by the Surplus Property Act of 1944, as amended, and by the Act of September 18, 1945, shall be performed by the War Assets Administrator or by the Associate Administrator as provided in section 502 hereof.

SEC. 502. *Associate War Assets Administrator* There shall be in the War Assets Administration an Associate War Assets Administrator, who shall be appointed by the President by and with the advice and consent of the Senate and shall receive compensation at the rate of $10,000 per annum. The Associate War Assets Administrator shall act for the War Assets Administrator in all matters during the absence or disability of the Administrator, or in the event of a vacancy in the office of Administrator, and shall perform such other duties as the Administrator may prescribe.

PART VI. GENERAL PROVISIONS

SEC. 601. *Termination of functions.* Nothing contained in this reorganization plan shall be deemed to extend the duration of any function beyond the time when it would otherwise expire as provided by law.

SEC. 602. *Transfer of records, property, personnel, and funds.* There are hereby transferred to the respective agencies in which functions are vested pursuant to the provisions of this plan, to be used, employed, and expended in connection with such functions, respectively, or in winding up the affairs of agencies abolished in connection with the transfer of such functions, (1) the records and property now being used or held in connection with such functions, (2) the personnel employed in connection with such functions, and (3) the unexpended balances of appropriations, allocations, or other funds available or to be made available for use in connection with such functions.

SEC. 603. *Effective date.* The provisions of this plan shall take effect on July 1, 1947, unless a later date is required by the provisions of the Reorganization Act of 1945.

[F. R. Doc. 47-6514; Filed, July 9, 1947; 10:33 a. m.]

TITLE 7—AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine, Department of Agriculture

TRANSFER OF FUNCTIONS

CROSS REFERENCE: For transfer of functions to the Secretary of Agriculture see section 301 of Reorganization Plan 1 of 1947, *supra.*

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders)

APPROVAL OF CERTAIN DETERMINATIONS BY THE PRESIDENT

CROSS REFERENCE: For abolishment of the function of the President with respect to approving determinations of the Secretary of Agriculture in connection with agricultural marketing orders see section 102 of Reorganization Plan 1 of 1947, *supra.*

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

DETERMINATION RELATIVE TO BUDGET OF EXPENSES AND FIXING OF RATE OF ASSESSMENT FOR 1946–47 FISCAL YEAR

On December 11, 1946, the Secretary of Agriculture approved (11 F. R. 14451) the rate of assessment for the 1946–47 fiscal year under Marketing Agreement No. 94 and Order No. 53 (7 CFR, Cum. Supp., 953.1 et seq.) regulating the handling of lemons grown in the State of California or the State of Arizona. Such approval was given after consideration of all relevant matters presented, including the proposals set forth in the notice of proposed rule making which was published in the FEDERAL REGISTER on November 19, 1946 (11 F. R. 13596). One of the factors considered as a basis for the approved rate of assessment was that interstate shipments of lemons for the 1946–47 fiscal year would, according to the estimate of the Lemon Administrative Committee (established pursuant to the marketing agreement and order), aggregate 7,850,000 boxes. It has become necessary, since that time, to revise such estimate to 7,240,000 boxes.

Section 3 of the marketing agreement and § 953.3 of Order No. 53 provide that at any time during a fiscal year the Secretary may increase the rate of assessment in order to secure sufficient funds to cover any later finding by the Secretary relative to the expenses of the aforesaid committee. Such increase shall be applicable to all lemons handled during the fiscal year.

Pursuant to the provisions of such marketing agreement and order and on the basis of available information, it is hereby found that the necessary expenses to be incurred by the Lemon Administrative Committee for its maintenance and functioning during the fiscal year beginning on November 1, 1946, and ending on October 31, 1947, both dates inclusive, will amount to $90,500.00.

It is, therefore, ordered, That the provisions in paragraph (a) of § 953.201 *Budget of expenses and rate of assessment for the 1946–47 fiscal year* (11 F. R. 14451) are hereby amended to read as follows:

(a) The expenses necessary to be incurred by the Lemon Administrative Committee, established pursuant to the provisions of the aforesaid marketing agreement and order, for the maintenance and functioning, during the fiscal year beginning on November 1, 1946, and ending on October 31, 1947, both dates inclusive, of such committee will amount to $90,500.00, and the rate of assessment to be paid, in accordance with the aforesaid marketing agreement and order, by each handler who first handles lemons shall be one and one-quarter cents ($0.0125) per box of lemons, or an equivalent quantity of lemons, handled by him as the first handler thereof during said fiscal year; and such rate of assessment is hereby approved as each such handler's pro rata share of the aforesaid expenses.

Compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (60 Stat. 237; Pub. Law 404, 79th Cong.) is impracticable, unnecessary, and contrary to the public interest in that: (1) the rate of assessment is applicable, pursuant to the marketing agreement and order, to all lemons handled during the fiscal year beginning on November 1, 1946, and ending on October 31, 1947, both dates inclusive; (2) the expenses of operating this regulatory program since November 1, 1946, have been paid, in accordance with the applicable provisions of the marketing agreement and order, with funds representing assessments collected on the basis of the rate of assessment approved on December 11, 1946 (11 F. R. 14451) (3) a substantial operating deficit now exists which must be liquidated at the earliest possible date so that current operations may be carried on satisfactorily (4) sufficient funds also must be provided, as soon as possible, to cover all current expenses and to provide a reserve for contingencies; and, inasmuch as the heaviest lemon shipments of the season occur in the summer months and assessments are much easier to collect at time of shipment than at some future date, (5) it is essential that the specification of the amended assessment rate be issued immediately in order for the amended regulatory assessments to be collected so as to enable the Lemon Administrative Committee to perform its duties and functions under the aforesaid marketing agreement and order.

(48 Stat. 31, as amended; 7 U. S. C. 601 et seq., 7 CFR, Cum. Supp., 953.1 et seq.)

Done at Washington, D. C., this 3d day of July 1947.

[SEAL] N. E. DODD,
Acting Secretary of Agriculture.

[F. R. Doc. 47-6403; Filed, July 9, 1947; 8:48 a. m.]

PART 962—FRESH PEACHES GROWN IN GEORGIA

DETERMINATION RELATIVE TO BUDGET OF EXPENSES AND THE FIXING OF THE RATE OF ASSESSMENT FOR THE 1947–48 FISCAL PERIOD

Notice was published in the FEDERAL REGISTER (12 F R. 3538) dated May 30, 1947, that the consideration was being given to proposals regarding the budget of expenses and the fixing of the rate of assessment for the 1947–48 fiscal period under the marketing agreement and Order No. 62 (7 CFR, Cum. Supp., 962.1 et seq.), regulating the handling of fresh peaches grown in the State of Georgia. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended. After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice which were submitted by the Industry Committee (established pursuant to said marketing agreement and order) it is hereby found and determined that:

§ 962.201 *Budget of expenses and rate of assessment for the 1947–48 fiscal period.* The expenses necessary to be incurred by the Industry Committee, established pursuant to the provisions of the aforesaid marketing agreement and order, to enable such committee to perform its functions, in accordance with the provisions of the aforesaid marketing agreement and order, during the fiscal period beginning March 1, 1947, and ending on the last day of February 1948, both dates inclusive, will amount to $21,672.00, and the rate of assessment to be paid, in accordance with the aforesaid marketing agreement and order, by each handler who first handles peaches shall be eight mills ($0.008) per bushel basket of peaches (net weight 50 pounds) or its equivalent of peaches in other containers or in bulk, shipped by him as the first shipper thereof during said fiscal period; and such rate of assessment is hereby approved as each such handler's pro rata share of the aforesaid expenses.

It is hereby further found and determined that compliance with the 30-day effective date requirement of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 60 Stat. 237) is impracticable, unnecessary, and contrary to the public interest in that (1) regulations with respect to shipments of peaches have been in effect since June 5, 1947; (2) a large volume of the Georgia peach crop is handled by itinerant truckers and cash buyers who operate in the area only part of the season; and (3) in order for regulatory assessments to be collected, especially from those handlers who do not have definite or established places of business in the production area, it is essential that the specification of the assessment rate be issued immediately so as to enable the said Industry Committee to perform its duties and functions under said marketing agreement and order.

As used herein, the terms "handler," "shipped," "peaches," and "fiscal period" shall have the same meaning as is given to each such term in the said marketing agreement and order.

(48 Stat. 31, as amended; 7 U. S. C. 601 et seq., 7 CFR, Cum. Supp., 962.5)

Done at Washington, D. C., this 3d day of July 1947.

[SEAL] N. E. DOOD,
Acting Secretary of Agriculture.

[F. R. Doc. 47-6406; Filed, July 9, 1947; 8:48 a. m.]

[Plum Order 15]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

§ 936.317 *Plum Order 15*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR, Cum. Supp., 936.1 et seq.) regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of Late Rosa plums, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) *Order* (1) During the period beginning at 12:01 a. m., P. s. t., July 11, 1947, and ending 12:01 a. m., P. s. t., October 11, 1947, no shipper shall ship:

(i) Any package or container of Late Rosa plums containing plums which do not meet the requirements of U. S. No. 1 grade (as specified for such grade in the United States Standards for plums and prunes (fresh) 12 F R. 2305) with a total tolerance of twenty-five (25) percent for defects not considered serious damage, in addition to the usual tolerances permitted in said United States Standards; or

(ii) Any package or container of Late Rosa plums containing plums of a size smaller than a size that will pack a 5 x 5 standard pack, as specified in the aforesaid United States Standards, in a standard basket, as specified in paragraph numbered 1 of section 828.1 of the Agricultural Code of California. The aforesaid 5 x 5 standard pack is defined more specifically in subparagraph (2) of this paragraph.

(2) As used in this section, the aforesaid 5 x 5 standard pack is defined more specifically as follows:

(i) At least thirty-five (35) percent, by count, of the total of such plums contained in any such pack measure not less than 1 9/10 inches in diameter, such diameter, as defined in the aforesaid United States Standards, being the shortest distance measured through the center of the plum at right angles to a straight line running from the stem to the blossom end; (ii) at least sixty (60) percent, by count, of the total of such plus contained in any such pack measure, as aforesaid, not less than 1 7/10 inches in diameter; and (iii) no plums contained in any such pack measure, as aforesaid, less than 1 5/10 inches in diameter.

(3) Each shipper, prior to making each shipment of Late Rosa plums shall, during the period set forth in subparagraph (1) of this paragraph, have the plums included in each such shipment inspected by a duly authorized representative of the Federal-State Inspection Service; heretofore designated by the Plum Commodity Committee and hereby approved; and each such shipper shall submit promptly, or cause to be submitted promptly, to the Plum Commodity Committee, Federal-State shipping point inspection certificates stating the grades and sizes of the Late Rosa plums contained in each such lot or shipment: *Provided, however,* That, in case the following conditions exist in connection with any such shipment:

(i) A request for inspection is made to the Federal-State Inspection Service not later than 5:00 p. m. of the day before the fruit will be available for inspection;

(ii) The fruit is available for inspection between the hours of 7:00 a. m. and 8:00 p. m. of the day specified in the request for such inspection; and

(iii) The Federal-State Inspection Service furnishes the shipper with a signed statement that it is not practicable, under such conditions, for the Federal-State Inspection Service to make the inspection within the necessary time;

the shipper, by submitting or causing to be submitted such signed statement to the Plum Commodity Committee, may make the particular shipment without such inspection, but such shipper shall still be held responsible for conforming with all grade and size regulations applicable to such shipment.

(4) The determination in § 936.301 with respect to shipments of plums into, in, or through the San Frnancisco-Sacramento region and the Los Angeles region shall be applicable to this section.

(5) As used in this section, the terms "shipper," "ship," and "shipment" shall have the same meaning as when used in the amended marketing agreement and order, and the term "serious damage" shall have the same meaning as set forth in the aforesaid United States Standards. (48 Stat. 31, as amended, 7 U. S. C. 601 et seq., 7 CFR, Cum. Supp., 936.1 et seq.)

Done at Washington, D. C., this 8th day of July 1947.

[SEAL] S. R. SMITH,
Director,
Fruit and Vegetable Branch.

[F R. Doc. 47-6495; Filed, July 9, 1947; 9:19 a. m.]

[Plum Order 16]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

§ 936.318 *Plum Order 16*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR, Cum. Supp., 936.1 et seq.) regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of Late Duarte plums, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) *Order* (1) During the period beginning at 12:01 a. m., P. s. t., July 11, 1947, and ending 12:01 a. m., P. s. t., October 11, 1947, no shipper shall ship:

(i) Any package or container of Late Duarte plums containing plums which do not meet the requirements of U. S. No. 1 grade (as specified for such grade in the United States Standards for plums and prunes (fresh) 12 F. R. 2305) with a total tolerance of ten (10) percent for defects not considered serious damage, in addition to the usual tolerances permitted in said United States Standards; or

(ii) Any package or container of Late Duarte plums containing plums of a size smaller than a size that will pack a 5 x 5 standard pack, as specified in the aforesaid United States Standards, in a standard basket, as specified in paragraph numbered 1 of section 828.1 of the Agricultural Code of California. The aforesaid 5 x 5 standard pack is defined more specifically in subparagraph (2) of this paragraph.

(2) As used in this section, the aforesaid 5 x 5 standard park is defined more specifically as follows: (i) At least thirty-five (35) percent, by count, of the total of such plums contained in any such pack measure not less than 1$^{9}/_{10}$ inches in diameter, such diameter, as defined in the aforesaid United States Standards, being the shortest distance measured through the center of the plum at right angles to a straight line running from the stem to the blossom end; (ii) at least sixty (60) percent, by count, of the total of such plums contained in any such pack measure, as aforesaid, not less than 1$^{7}/_{10}$ inches in diameter; and (iii) no plums contained in any such pack measure, as aforesaid, less than 1$^{5}/_{10}$ inches in diameter.

(3) Each shipper, prior to making each shipment of Late Duarte plums shall, during the period set forth in subparagraph (1) of this paragraph, have the plums included in each such shipment inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved; and each such shipper shall submit promptly, or cause to be submitted promptly, to the Plum Commodity Committee, Federal-State shipping point inspection certificates stating the grades and sizes of the Late Duarte plums contained in each such lot or shipment: *Provided, however* That, in case the following conditions exist in connection with any such shipment:

(i) A request for inspection is made to the Federal-State Inspection Service not later than 5:00 p. m. of the day before the fruit will be available for inspection;

(ii) The fruit is available for inspection between the hours of 7:00 a. m. and 8:00 p. m. of the day specified in the request for such inspection; and

(iii) The Federal-State Inspection Service furnishes the shipper with a signed statement that it is not practicable, under such conditions, for the Federal-State Inspection Service to make the inspection within the necessary time;

the shipper, by submitting or causing to be submitted such signed statement to the Plum Commodity Committee, may make the particular shipment without such inspection, but such shipper shall still be held responsible for conforming with all grade and size regulations applicable to such shipment.

(4) The determination in § 936.301 with respect to shipments of plums into, in, or through the San Francisco-Sacramento region and the Los Angeles region shall be applicable to this section.

(5) As used in this section, the terms "shipper," "ship," and "shipment" shall have the same meaning as when used in the amended marketing agreement and order, and the term "serious damage" shall have the same meaning as set forth in the aforesaid United States Standards. (48 Stat. 31, as amended, 7 U. S. C. 601 et seq., 7 CFR, Cum. Supp., 936.1 et seq.)

Done at Washington, D. C., this 8th day of July 1947.

[SEAL] S. R. SMITH,
Director,
Fruit and Vegetable Branch.

[F. R. Doc. 47-6494; Filed, July 9, 1947; 9:18 a. m.]

[Plum Order 17]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

§ 936.319 *Plum Order 17*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR, Cum. Supp., 936.1 et seq.), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of Late Tragedy plums, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., July 11, 1947, and ending at 12:01 a. m., P. s. t., October 11, 1947, no shipper shall ship:

(i) Any package or container of Late Tragedy plums containing plums which do not meet the requirements of U. S. No. 1 grade (as specified for such grade in the United States Standards for plums and prunes (fresh), 12 F. R. 2305) with a total tolerance of twenty-five (25) percent for defects not considered serious damage, in addition to the usual tolerances permitted in said United States Standards; or

(ii) Any package or container of Late Tragedy plums containing plums of a size smaller than a size that will pack a 6 x 6 standard pack, as specified in the aforesaid United States Standards, in a standard basket, as specified in paragraph numbered 1 of section 828.1 of the Agricultural Code of California. The aforesaid 6 x 6 standard pack is defined more specifically in subparagraph (4) of this paragraph.

(2) During the period set forth in subparagraph (1) of this paragraph:

(i) The total quantity of Late Tragedy plums which a shipper may ship during any day, from any shipping point, shall meet the following additional conditions:

(*a*) Of said total quantity, at least eighty-five (85) percent, by number of packages, shall be of a size not smaller than a size that will pack a 5 x 6 standard pack, as specified in the aforesaid United States Standards, in the aforesaid standard basket; and said 5 x 6 standard pack is defined more specifically in subparagraph (3) of this paragraph; and

(*b*) The remainder of such total quantity may be of a size that will pack a 6 x 6 standard pack, as aforesaid, or of larger sizes up to, but not including, a size that will pack a 5 x 6 standard pack, as aforesaid.

(ii) If any shipper, during any two (2) consecutive days, ships from any such

shipping point less than the maximum allowable portion of such Late Tragedy plums that will pack a 6 x 6 standard pack, and larger sizes, as aforesaid, the amount of such undershipment of such plums may be shipped only during the next succeeding calendar day, in addition to such Late Tragedy plums of such size that the respective shipper could have shipped on such succeeding calendar day if there had been no undershipment during the two (2) preceding days.

(3) As used in this section, the aforesaid 5 x 6 standard pack is defined more specifically as follows: (i) At least thirty-five (35) percent, by count, of the total of such plums contained in any such pack measure not less than 1 7/16 inches in diameter, such diameter, as defined in the aforesaid United States Standards, being the shortest distance measured through the center of the plum at right angles to a straight line running from the stem to the blossom end; (ii) at least sixty (60) percent, by count, of the total of such plums contained in any such pack measure, as aforesaid, not less than 1 5/16 inches in diameter; and (iii) no plums contained in any such pack measure, as aforesaid, less than 1 3/16 inches in diameter.

(4) As used in this section, the aforesaid 6 x 6 standard pack is defined more specifically as follows: (i) At least thirty-five (35) percent, by count, of the total of such plums contained in any such pack measure, as aforesaid, not less than 1 5/16 inches in diameter; (ii) at least sixty (60) percent, by count, of the total of such plums contained in any such pack measure, as aforesaid, not less than 1 3/16 inches in diameter; and (iii) no plums contained in any such pack measure, as aforesaid, less than 1 1/16 inches in diameter.

(5) Nothing contained herein shall be construed (i) as preventing a shipper from shipping Late Tragedy plums of a size larger than a size that will pack a 5 x 6 standard pack, as aforesaid, if said plums meet the grade requirements hereof; or (ii) as permitting the shipment of Late Tragedy plums of a size smaller than a size that will pack a 6 x 6 standard pack, as aforesaid, even if the plums do meet said grade requirements.

(6) Each shipper, prior to making each shipment of Late Tragedy plums shall, during the period set forth in subparagraph (1) of this paragraph, have the plums included in each such shipment inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved; and each such shipper shall submit promptly, or cause to be submitted promptly, to the Plum Commodity Committee, Federal-State shipping point inspection certificates stating the grades and sizes of the Late Tragedy plums contained in each such lot or shipment: *Provided, however* That, in case the following conditions exist in connection with any such shipment:

(i) A request for inspection is made to the Federal-State Inspection Service not later than 5:00 p. m. of the day before the fruit will be available for inspection;

(ii) The fruit is available for inspection between the hours of 7:00 a. m. and 8:00 p. m. of the day specified in the request for such inspection; and

(iii) The Federal-State Inspection Service furnishes the shipper with a signed statement that it is not practicable, under such conditions, for the Federal-State Inspection Service to make the inspection within the necessary time;

the shipper, by submitting or causing to be submitted such signed statement to the Plum Commodity Committee, may make the particular shipment without such inspection, but such shipper shall still be held responsible for conforming with all grade and size regulations applicable to such shipment.

(7) The determination in § 936.301 with respect to shipments of plums into, in, or through the San Francisco-Sacramento region and the Los Angeles region shall be applicable to this section.

(8) As used in this section, the terms "shipper," "ship," "shipping," "shipping point," and "shipment" shall have the same meaning as when used in the amended marketing agreement and order, and the term "serious damage" shall have the same meaning as set forth in the aforesaid United States Standards. (48 Stat. 31, as amended, 7 U. S. C. 601 et seq., 7 CFR, Cum. Supp., 936.1 et seq.)

Done at Washington, D. C., this 8th day of July 1947.

[SEAL] S. R. SMITH,
Director
Fruit and Vegetable Branch.

[F. R. Doc. 47-6493; Filed, July 9, 1947; 9:18 a. m.]

[Plum Order 18]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

§ 936.320 *Plum Order 18*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR, Cum. Supp., 936.1 et seq.) regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of Sharkey plums, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) *Order* (1) During the period beginning at 12:01 a. m., P. s. t., July 11, 1947, and ending 12:01 a. m., P. s. t., October 11, 1947, no shipper shall ship:

(i) Any package or container of Sharkey plums containing plums which do not meet the requirements of U. S. No. 1 grade (as specified for such grade in the United States Standards for plums and prunes (fresh) 12 F. R. 2305), with a total tolerance of ten (10) percent for defects not considered serious damage, in addition to the usual tolerances permitted in said United States Standards; or

(ii) Any package or container of Sharkey plums containing plums of a size smaller than a size that will pack a 4 x 5 standard pack, as specified in the aforesaid United States Standards, in a standard basket, as specified in paragraph numbered 1 of section 828.1 of the Agricultural Code of California. The aforesaid 4 x 5 standard pack is defined more specifically in subparagraph (2) of this paragraph.

(2) As used in this section, the aforesaid 4 x 5 standard pack is defined more specifically as follows: (i) At least thirty-five (35) percent, by count, of the total of such plums contained in any such pack measure not less than 1 11/16 inches in diameter, such diameter, as defined in the aforesaid United States Standards, being the shortest distance measured through the center of the plum at right angles to a straight line running from the stem to the blossom end; (ii) at least sixty (60) percent, by count, of the total of such plums contained in any such pack measure, as aforesaid, not less than 1 9/16 inches in diameter and (iii) no plums contained in any such pack measure, as aforesaid, less than 1 7/16 inches in diameter.

(3) Each shipper, prior to making each shipment of Sharkey plums shall, during the period set forth in subparagraph (1) of this paragraph, have the plums included in each such shipment inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved; and each such shipper shall submit promptly, or cause to be submitted promptly, to the Plum Commodity Committee, Federal-State shipping point inspection certificates stating the grades and sizes of the Sharkey plums contained in each such lot or shipment: *Provided, however* That, in case the following conditions exist in connection with any such shipment:

(i) A request for inspection is made to the Federal-State Inspection Service not later than 5:00 p. m. of the day before the fruit will be available for inspection;

(ii) The fruit is available for inspection between the hours of 7:00 a. m. and 8:00 p. m. of the day specified in the request for such inspection; and

(iii) The Federal-State Inspection Service furnishes the shipper with a signed statement that it is not practicable, under such conditions, for the Federal-State Inspection Service to make the inspection within the necessary time;

the shipper, by submitting or causing to be submitted such signed statement to the Plum Commodity Committee, may make the particular shipment without such inspection, but such shipper shall still be held responsible for conforming with all grade and size regulations applicable to such shipment.

(4) The determination in § 936.301 with respect to shipments of plums into, in, or through the San Francisco-Sacramento region and the Los Angeles region shall be applicable to this section.

(5) As used in this section, the terms "shipper," "ship," and "shipment," shall have the same meaning as when used in the amended marketing agreement and order, and the term "serious damage" shall have the same meaning as set forth in the aforesaid United States Standards. (48 Stat. 31, as amended, 7 U. S. C. 601 et seq., 7 CFR, Cum. Supp. 936.1 et seq.)

Done at Washington, D. C., this 8th day of July 1947.

[SEAL] S. R. SMITH,
Director
Fruit and Vegetable Branch.

[F. R. Doc. 47-6492; Filed, July 9, 1947; 9:18 a. m.]

[Plum Order 19]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

§ 936.321 *Plum Order 19*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR, Cum. Supp., 936.1 et seq.), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of Kelsey plums, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., July 11, 1947, and ending at 12:01 a. m., P. s. t., November 1, 1947, no shipper shall ship:

(i) Any package or container of Kelsey plums containing plums which do not meet the requirements of U. S. No. 1 grade (as specified for such grade in the United States Standards for plums and prunes (fresh) 12 F. R. 2305) with a total tolerance of twenty-five (25) percent for defects not considered serious damage, in addition to the usual tolerances permitted in said United States Standards; or

(ii) Any package or container of Kelsey plums containing plums of a size smaller than a size that will pack a 4 x 5 standard pack, as specified in the aforesaid United States Standards, in a standard basket, as specified in paragraph numbered 1 of section 828.1 of the Agricultural Code of California. The aforesaid 4 x 5 standard pack is defined more specifically in subparagraph (3) of this paragraph.

(2) During the period set forth in subparagraph (1) of this paragraph:

(i) The total quantity of Kelsey plums which a shipper may ship during any day, from any shipping point, shall meet the following additional conditions:

(*a*) Of said total quantity, not more than fifty (50) percent, by number of packages, shall be of a size that will pack a 4 x 5 standard pack, as aforesaid, in the aforesaid standard basket; and

(*b*) The remainder of such total quantity shall be of a size larger than a size that will pack a 4 x 5 standard pack, as aforesaid, in the aforesaid standard basket.

(ii) If any shipper, during any two (2) consecutive days, ships from any such shipping point less than the maximum allowable portion of such Kelsey plums that will pack a 4 x 5 standard pack as aforesaid, the amount of such undershipment of such plums may be shipped only during the next succeeding calendar day, in addition to such Kelsey plums of such 4 x 5 size that the respective shipper could have shipped on such succeeding calendar day if there had been no undershipment during the two (2) preceding days.

(3) As used in this section, the aforesaid 4 x 5 standard pack is defined more specifically as follows: (i) at least thirty-five (35) percent, by count, of the total of such plums contained in any such pack measure not less than $1\frac{11}{16}$ inches in diameter, such diameter, as defined in the aforesaid United States Standards, being the shortest distance measured through the center of the plum at right angles to a straight line running from the stem to the blossom end; (ii) at least sixty (60) percent, by count, of the total of such plums contained in any such pack measure, as aforesaid, not less than $1\frac{9}{16}$ inches in diameter; and (iii) no plums contained in any such pack measure, as aforesaid, less than $1\frac{7}{16}$ inches in diameter.

(4) Nothing contained in this section shall be construed (i) as preventing a shipper from shipping Kelsey plums of a size larger than a size that will pack a 4 x 5 standard pack, as aforesaid, if said plums meet the grade requirements hereof, or (ii) as permitting the shipment of Kelsey plums of a size smaller than a size that will pack a 4 x 5 standard pack, as aforesaid, even if the plums do meet said grade requirements.

(5) Each shipper, prior to making each shipment of Kelsey plums shall, during the period set forth in subparagraph (1) of this paragraph, have the plums included in each such shipment inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved; and each such shipper shall submit promptly, or cause to be submitted promptly, to the Plum Commodity Committee, Federal-State shipping point inspection certificates stating the grades and sizes of the Kelsey plums contained in each such lot or shipment: *Provided, however* That, in case the following conditions exist in connection with any such shipment:

(i) A request for inspection is made to the Federal-State Inspection Service not later than 5:00 p. m. of the day before the fruit will be available for inspection;

(ii) The fruit is available for inspection between the hours of 7:00 a. m. and 8:00 p. m. of the day specified in the request for such inspection; and

(iii) The Federal-State Inspection Service furnishes the shipper with a signed statement that it is not practicable, under such conditions, for the Federal-State Inspection Service to make the inspection within the necessary time;

the shipper, by submitting or causing to be submitted such signed statement to the Plum Commodity Committee, may make the particular shipment without such inspection, but such shipper shall still be held responsible for conforming with all grade and size regulations applicable to such shipment.

(6) The determination in § 936.301 with respect to shipments of plums into, in, or through the San Francisco-Sacramento region and the Los Angeles region shall be applicable to this section.

(7) As used in this section, the terms "shipper," "ship," "shipping," "shipping point," and "shipment" shall have the same meaning as when used in the amended marketing agreement and order, and the term "serious damage" shall have the same meaning as set forth in the aforesaid United States Standards. (48 Stat. 31, as amended, 7 U. S. C. 601 et seq., 7 CFR, Cum. Supp., 936.1 et seq.)

Done at Washington, D. C., this 8th day of July 1947.

[SEAL] S. R. SMITH,
Director,
Fruit and Vegetable Branch.

[F. R. Doc. 47-6491; Filed, July 9, 1947; 9:18 a. m.]

[Plum Order 20]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

§ 936.322 *Plum Order 20*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR, Cum. Supp., 936.1 et seq.) regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement

Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of President plums, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) *Order* (1) During the period beginning at 12:01 a. m., P. s. t., July 11, 1947, and ending at 12:01 a. m., P. s. t., November 1, 1947, no shipper shall ship:

(i) Any package or container of President plums containing plums which do not meet the requirements of U. S. No. 1 grade (as specified for such grade in the United States Standards for plums and prunes (fresh) 12 F. R. 2305) with a total tolerance of ten (10) percent for defects not considered serious damage, in addition to the usual tolerances permitted in said United States Standards; or

(ii) Any package or container of President plums containing plums of a size smaller than a size that will pack a 5 x 5 standard pack, as specified in the aforesaid United States Standards, in a standard basket, as specified in paragraph numbered 1 of section 828.1 of the Agricultural Code of California. The aforesaid 5 x 5 standard pack is defined more specifically in subparagraph (4) of this paragraph.

(2) During the period set forth in subparagraph (1) of this paragraph:

(i) The total quantity of President plums which a shipper may ship during any day, from any shipping point, shall meet the following additional conditions:

(*a*) Of said total quantity, at least fifty (50) percent, by number of packages, shall be of a size not smaller than a size that will pack a 4 x 5 standard pack, as specified in the aforesaid United States Standards, in the aforesaid standard basket; and said 4 x 5 standard pack is defined more specifically in subparagraph (3) of this paragraph; and

(*b*) The remainder of such total quantity may be of a size that will pack a 5 x 5 standard pack, as aforesaid, or of larger sizes up to, but not including, a size that will pack a 4 x 5 standard pack, as aforesaid.

(ii) If any shipper, during any two (2) consecutive days, ships from any such shipping point less than the maximum allowable portion of such President plums that will pack a 5 x 5 standard pack, and larger sizes, as aforesaid, the amount of such undershipment of such plums may be shipped only during the next succeeding calendar day, in addition to such President plums of such size that the respective shipper could have shipped on such succeeding calendar day if there had been no undershipment during the two (2) preceding days.

(3) As used in this section, the aforesaid 4 x 5 standard pack is defined more specifically as follows: (i) at least thirty-five (35) percent, by count, of the total of such plums contained in any such pack measure not less than $1\frac{11}{16}$ inches in diameter, such diameter, as defined in the aforesaid United States Standards, being the shortest distance measured through the center of the plum at right angles to a straight line running from the stem to the blossom end; (ii) at least sixty (60) percent, by count, of the total of such plums contained in any such pack measure, as aforesaid, not less than $1\frac{9}{16}$ inches in diameter; and, (iii) no plums contained in any such pack measure, as aforesaid, less than $1\frac{7}{16}$ inches in diameter.

(4) As used in this section, the aforesaid 5 x 5 standard pack is defined more specifically as follows: (i) at least thirty-five (35) percent, by count, of the total of such plums contained in any such pack measure, as aforesaid, not less than $1\frac{9}{16}$ inches in diameter, (ii) at least sixty (60) percent, by count, of the total of such plums contained in any such pack measure, as aforesaid, not less than $1\frac{7}{16}$ inches in diameter; and (iii) no plums contained in any such pack measure, as aforesaid, less than $1\frac{5}{16}$ inches in diameter,

(5) Nothing contained in this section shall be construed (i) as preventing a shipper from shipping President plums of a size larger than the size that will pack a 4 x 5 standard pack, as aforesaid, if said plums meet the grade requirements hereof, or (ii) as permitting the shipment of President plums of a size smaller than a size that will pack a 5 x 5 standard pack, as aforesaid, even if the plums do meet said grade requirements.

(6) Each shipper, prior to making each shipment of President plums, shall, during the period set forth in subparagraph (1) of this paragraph, have the plums included in each shipment inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved; and each such shipper shall submit promptly, or cause to be submitted promptly, to the Plum Commodity Committee, Federal-State shipping point inspection certificates stating the grades and sizes of the President plums contained in each such lot or shipment: *Provided, however* That, in case the following conditions exist in connection with any such shipments:

(i) A request for inspection is made to the Federal-State Inspection Service not later than 5:00 p. m. of the day before the fruit will be available for inspection;

(ii) The fruit is available for inspection between the hours of 7:00 a. m. and 8:00 p. m. of the day specified in the request for such inspection; and

(iii) The Federal-State Inspection Service furnishes the shipper with a signed statement that it is not practicable, under such conditions, for the Federal-State Inspection Service to make the inspection within the necessary time;

the shipper, by submitting or causing to be submitted, such signed statement to the Plum Commodity Committee, may make the particular shipment without such inspection, but such shipper shall still be held responsible for conforming with all grade and size regulations applicable to such shipment.

(7) The determination in § 936.301 with respect to shipments of plums into, in, or through the San Francisco-Sacramento region and the Los Angeles region shall be applicable to this section.

(8) As used in this section, the terms "shipper," "ship," "shipping," and "shipping point" shall have the same meaning as when used in the amended marketing agreement and order, and the term "serious damage" shall have the same meaning as set forth in the aforesaid United States Standards. (48 Stat. 31, as amended, 7 U. S. C. 601 et seq., 7 CFR, Cum. Supp., 936.1 et seq.)

Done at Washington, D. C. this 8th day of July 1947.

[SEAL] S. R. SMITH,
Director,
Fruit and Vegetable Branch.

[F. R. Doc. 47-6490; Filed, July 9, 1947; 9:17 a. m.]

[Plum Order 21]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

§ 936.323 *Plum Order 21*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR, Cum. Supp., 936.1 et seq.) regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of Grand Duke plums, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) *Order* (1) During the period beginning at 12:01 a. m., P. s. t., July 11,

1947, and ending at 12:01 a. m., P. s. t., October 11, 1947, no shipper shall ship:

(i) Any package or container of Grand Duke plums containing plums which do not meet the requirements of U. S. No. 1 grade (as specified for such grade in the United States Standards for plums and prunes (fresh) 12 F. R. 2305) with a total tolerance of ten (10) percent for defects not considered serious damage, in addition to the usual tolerances permitted in said United States standards; or

(ii) Any package or container of Grand Duke plums containing plums of a size smaller than a size that will pack a 5 x 5 standard pack, as specified in the aforesaid United States Standards, in a standard basket, as specified in paragraph numbered 1 of section 828.1 of the Agricultural Code of California. The aforesaid 5 x 5 standard pack is defined more specifically in subparagraph (3) of this paragraph.

(2) During the period set forth in subparagraph (1) of this paragraph:

(i) The total quantity of Grand Duke plums which a shipper may ship during any day, from any shipping point, shall meet the following additional conditions:

(a) Of said total quantity, not more than fifty (50) percent, by number of packages, shall be of a size that will pack a 5 x 5 standard pack, as aforesaid, in the aforesaid standard basket; and

(b) The remainder of such total quantity shall be of a size larger than a size that will pack a 5 x 5 standard pack, as aforesaid, in the aforesaid standard basket.

(ii) If any shipper, during any two (2) consecutive days, ships from any such shipping point less than the maximum allowable portion of such Grand Duke plums that will pack a 5 x 5 standard pack, as aforesaid, the amount of such undershipment of such plums may be shipped only during the next succeeding calendar day, in addition to such Grand Duke plums of such 5 x 5 size that the respective shipper could have shipped on such succeeding calendar day if there had been no undershipment during the two (2) preceding days.

(3) As used in this section, the aforesaid 5 x 5 standard pack is defined more specifically as follows: (i) at least thirty-five (35) percent, by count, of the total of such plums contained in any such pack measure not less than 1$^{9}/_{16}$ inches in diameter, such diameter, as defined in the aforesaid United States Standards, being the shortest distance measured through the center of the plum at right angles to a straight line running from the stem to the blossom end; (ii) at least sixty (60) percent, by count, of the total of such plums contained in any such pack measure, as aforesaid, not less than 1$^{7}/_{16}$ inches in diameter and (iii) no plums contained in any such pack measure, as aforesaid, less than 1$^{5}/_{16}$ inches in diameter.

(4) Nothing contained in this section shall be construed (i) as preventing a shipper from shipping Grand Duke plums of a size larger than a size that will pack a 5 x 5 standard pack, as aforesaid, if said plums meet the grade requirements hereof, or (ii) as permitting the shipment of Grand Duke plums of a size smaller than a size that will pack a 5 x 5 standard pack, as aforesaid, even if the plums do meet said grade requirements.

(5) Each shipper, prior to making each shipment of Grand Duke plums shall, during the period set forth in subparagraph (1) of this paragraph, have the plums included in each such shipment inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved; and each such shipper shall submit promptly, or cause to be submitted promptly, to the Plum Commodity Committee, Federal-State shipping point inspection certificates stating the grades and sizes of the Grand Duke plums contained in each such lot or shipment: *Provided, however,* That, in case the following conditions exist in connection with any such shipment:

(i) A request for inspection is made to the Federal-State Inspection Service not later than 5:00 p. m. of the day before the fruit will be available for inspection;

(ii) The fruit is available for inspection between the hours of 7:00 a. m. and 8:00 p. m. of the day specified in the request for such inspection; and

(iii) The Federal-State Inspection Service furnishes the shipper with a signed statement that it is not practicable, under such conditions, for the Federal-State Inspection Service to make the inspection within the necessary time;

the shipper, by submitting or causing to be submitted such signed statement to the Plum Commodity Committee, may make the particular shipment without such inspection, but such shipper shall still be held responsible for conforming with all grade and size regulations applicable to such shipment.

(6) The determination in § 936.301 with respect to shipments of plums into, in, or through the San Francisco-Sacramento region and the Los Angeles region shall be applicable to this section.

(7) As used in this section, the terms "shipper," "ship," "shipping," "shipping point," and "shipment" shall have the same meaning as when used in the amended marketing agreement and order, and the term "serious damage" shall have the same meaning as set forth in the aforesaid United States Standards. (48 Stat. 31, as amended, 7 U. S. C. 601 et seq., 7 CFR, Cum. Supp., 936.1 et seq.)

Done at Washington, D. C., this 8th day of July 1947.

[SEAL] S. R. SMITH,
Director,
Fruit and Vegetable Branch.

[F. R. Doc. 47-6472; Filed, July 9, 1947; 9:17 a. m.]

[Plum Order 22]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

§ 936.324 *Plum Order 22*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR, Cum. Supp., 936.1 et seq.) regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of Giant plums, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., July 11, 1947, and ending 12:01 a. m., P. s. t., October 11, 1947, no shipper shall ship:

(i) Any package or container of Giant plums containing plums which do not meet the requirements of U. S. No. 1 grade (as specified for such grade in the United States Standards for plums and prunes (fresh), 12 F. R. 2305) with a total tolerance of ten (10) percent for defects not considered serious damage, in addition to the usual tolerances permitted in said United States Standards; or

(ii) Any package or container of Giant plums containing plums of a size smaller than a size that will pack a 5 x 5 standard pack, as specified in the aforesaid United States Standards, in a standard basket, as specified in paragraph numbered 1 of section 823.1 of the Agricultural Code of California. The aforesaid 5 x 5 standard pack is defined more specifically in subparagraph (2) of this paragraph.

(2) As used in this section, the aforesaid 5 x 5 standard pack is defined more specifically as follows: (i) at least thirty-five (35) percent, by count, of the total of such plums contained in any such pack measure not less than 1$^{9}/_{16}$ inches in diameter, such diameter, as defined in the aforesaid United States Standards, being the shortest distance measured through the center of the plum at right angles to a straight line running from the stem to the blossom end; (ii) at least sixty (60) percent, by count, of the total of such plums contained in any such pack measure, as aforesaid, not less than 1$^{7}/_{16}$ inches in diameter; and (iii) no plums contained in any such pack measure, as aforesaid, less than 1$^{5}/_{16}$ inches in diameter.

(3) Each shipper, prior to making each shipment of Giant plums, shall, during the period set forth in subparagraph (1) of this paragraph, have the plums included in each such shipment inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved; and each such shipper shall submit promptly, or cause to be submitted

promptly, to the Plum Commodity Committee, Federal-State shipping point inspection certificates stating the grades and sizes of the Giant plums contained in each such lot or shipment: *Provided, however,* That in case the following conditions exist in connection with any such shipment:

(i) A request for inspection is made to the Federal-State Inspection Service not later than 5:00 p. m. of the day before the fruit will be available for inspection;

(ii) The fruit is available for inspection between the hours of 7:00 a. m. and 8:00 p. m. of the day specified in the request for such inspection; and

(iii) The Federal-State Inspection Service furnishes the shipper with a signed statement that it is not practicable, under such conditions, for the Federal-State Inspection Service to make the inspection within the necessary time;

the shipper, by submitting or causing to be submitted such signed statement to the Plum Commodity Committee, may make the particular shipment without such inspection, but such shipper shall still be held responsible for conforming with all grade and size regulations applicable to such shipment.

(4) The determination in § 936.301 with respect to shipments of plums into, in, or through the San Francisco-Sacramento region and the Los Angeles region shall be applicable to this section.

(5) As used in this section, the terms "shipper," "ship," and "shipment" shall have the same meaning as when used in the amended marketing agreement and order; and, the term "serious damage" shall have the same meaning as set forth in the aforesaid United States Standards. (48 Stat. 31, as amended, 7 U. S. C. 601 et seq., 7 CFR, Cum. Supp., 936.1 et seq.)

Done at Washington, D. C., this 8th day of July 1947.

[SEAL] S. R. SMITH,
Director
Fruit and Vegetable Branch.

[F. R. Doc. 47-6488; Filed, July 9, 1947; 9:17 a. m.]

[Plum Order 23]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

§ 936.325 *Plum Order 23*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR, Cum. Supp., 936.1 et seq.) regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of Ace plums, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) *Order* (1) During the period beginning at 12:01 a. m., P. s. t., July 11, 1947, and ending at 12:01 a. m., P. s. t., October 11, 1947, no shipper shall ship:

(i) Any package or container of Ace plums containing plums which do not meet the requirements of U. S. No. 1 grade (as specified for such grade in the United States Standards for plums and prunes (fresh) 12 F R. 2305) with a total tolerance of ten (10) percent for defects not considered serious damage, in addition to the usual tolerances permitted in said United States Standards; or

(ii) Any package or container of Ace plums containing plums of a size smaller than a size that will pack a 4 x 5 standard pack, as specified in the aforesaid United States Standards, in a standard basket, as specified in paragraph numbered 1 of section 828.1 of the Agricultural Code of California. The aforesaid 4 x 5 standard pack is defined more specifically in subparagraph (3) of this paragraph.

(2) During the period set forth in subparagraph (1) of this paragraph:

(i) The total quantity of Ace plums which a shipper may ship during any day, from any shipping point, shall meet the following additional conditions:

(*a*) Of said total quantity, not more than fifty (50) percent, by number of packages, shall be of a size that will pack a 4 x 5 standard pack, as aforesaid, in the aforesaid standard basket; and

(*b*) The remainder of such total quantity shall be of a size larger than a size that will pack a 4 x 5 standard pack, as aforesaid, in the aforesaid standard basket.

(ii) If any shipper, during any two (2) consecutive days, ships from any such shipping point less than the maximum allowable portion of such Ace plums that will pack a 4 x 5 standard pack, as aforesaid, the amount of such undershipment of such plums may be shipped only during the next succeeding calendar day, in addition to such Ace plums of such 4 x 5 size that the respective shipper could have shipped on such succeeding calendar day if there had been no undershipment during the two (2) preceding days.

(3) As used in this section, the aforesaid 4 x 5 standard pack is defined more specifically as follows: (i) at least thirty-five (35) percent, by count, of the total of such plums contained in any such pack measure not less than $1\frac{11}{16}$ inches in diameter, such diameter, as defined in the aforesaid United States Standards, being the shortest distance measured through the center of the plum at right angles to a straight line running from the stem to the blossom end; (ii) at least sixty (60) percent, by count, of the total of such plums contained in any such pack measure, as aforesaid, not less than $1\frac{9}{16}$ inches in diameter; and (iii) no plums contained in any such pack measure, as aforesaid, less than $1\frac{7}{16}$ inches in diameter.

(4) Nothing contained in this section shall be construed (i) as preventing a shipper from shipping Ace plums of a size larger than a size that will pack a 4 x 5 standard pack, as aforesaid, if said plums meet the grade requirements hereof, or (ii) as permitting the shipment of Ace plums of a size smaller than a size that will pack a 4 x 5 standard pack, as aforesaid, even if the plums do meet said grade requirements.

(5) Each shipper, prior to making each shipment of Ace plums shall, during the period set forth in subparagraph (1) of this paragraph, have the plums included in each such shipment inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved; and each such shipper shall submit promptly, or cause to be submitted promptly, to the Plum Commodity Committee, Federal-State shipping point inspection certificates stating the grades and sizes of the Ace plums contained in each such lot or shipment: *Provided, however* That, in case the following conditions exist in connection with any such shipment:

(i) A request for inspection is made to the Federal-State Inspection Service not later than 5:00 p. m. of the day before the fruit will be available for inspection;

(ii) The fruit is available for inspection between the hours of 7:00 a. m. and 8:00 p. m. of the day specified in the request for such inspection; and

(iii) The Federal-State Inspection Service furnishes the shipper with a signed statement that it is not practicable, under such conditions, for the Federal-State Inspection Service to make the inspection within the necessary time;

the shipper, by submitting or causing to be submitted such signed statement to the Plum Commodity Committee, may make the particular shipment without such inspection, but such shipper shall still be held responsible for conforming with all grade and size regulations applicable to such shipment.

(6) The determination in § 936.301 with respect to shipments of plums into, in, or through the San Francisco-Sacramento region and the Los Angeles region shall be applicable to this section.

(7) As used in this section the terms "shipper," "ship," "shipping," "shipping point," and "shipment," shall have the same meaning as when used in the amended marketing agreement and order, and the term "serious damage" shall have the same meaning as set forth in the aforesaid United States Standards. (48 Stat. 31, as amended, 7 U. S. C. 601 et seq., 7 CFR, Cum. Supp., 936.1 et seq.)

Done at Washington, D. C., this 8th day of July 1947.

[SEAL] S. R. SMITH,
Director,
Fruit and Vegetable Branch.

[F. R. Doc. 47-6489; Filed, July 9, 1947; 9:17 a. m.]

Chapter XXI—Organization, Functions and Procedure, Department of Agriculture

AGRICULTURAL RESEARCH FUNCTIONS

CROSS REFERENCE: For transfer of functions of the following agencies to the Secretary of Agriculture see section 301 of Reorganization Plan 1 of 1947, *supra:*

Agency	Part No.
Office of Administrator, Agricultural Research Administration	2401
Bureau of Animal Industry	2403
Bureau of Dairy Industry	2405
Bureau of Plant Industry, Soils, and Agricultural Engineering	2409
Bureau of Entomology and Plant Quarantine	2406
Bureau of Agricultural and Industrial Chemistry	2402
Bureau of Human Nutrition and Home Economics	2408
Office of Experiment Stations	2407
Agricultural Research Center	2404

TITLE 8—ALIENS AND NATIONALITY

Chapter II—Office of Alien Property, Department of Justice

CONTINUATION OF TRANSFER OF FUNCTIONS

CROSS REFERENCE: For continuation of transfer of functions see section 101 of Reorganization Plan 1 of 1947, *supra.*

Chapter III—Office of Philippine Alien Property Administration

CONTINUATION OF ADMINISTRATION OF FUNCTIONS

CROSS REFERENCE: For continuation of administration of functions through the Office of Philippine Alien Property Administration see section 101 of Reorganization Plan 1 of 1947, *supra.*

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Bureau of Animal Industry, Department of Agriculture

TRANSFER OF FUNCTIONS

CROSS REFERENCE: For transfer of functions to the Secretary of Agriculture see section 301 of Reorganization Plan 1 of 1947, *supra.*

Chapter III—Bureau of Dairy Industry, Department of Agriculture

TRANSFER OF FUNCTIONS

CROSS REFERENCE: For transfer of functions to the Secretary of Agriculture see section 301 of Reorganization Plan 1 of 1947, *supra.*

TITLE 10—ARMY WAR DEPARTMENT

Chapter VII—Personnel

PART 701—RECRUITING AND INDUCTION FOR THE ARMY OF THE UNITED STATES

MISCELLANEOUS AMENDMENTS

Rescind paragraph (c) of § 701.30 and substitute the following therefor:

§ 701.30 *Enlistments and reenlistments in the Regular Army pursuant to the Act of June 1, 1945, as amended by the Armed Forces Voluntary Recruitment Act of 1945.* * * *

(c) *Men discharged.* Except as indicated in paragraphs (g), (h), (i) of this section, individuals discharged from the Army and receiving an honorable discharge or general discharge, will be afforded the opportunity of enlisting or reenlisting in the Regular Army within 20 days after the date of such discharge, without regard to the restrictions as to age prescribed in paragraph (f) (2) of this section.

[WD Cir 31, Feb. 4, 1947, as amended by Cir 149, June 11, 1947] (41 Stat. 765, Pub. Law 72, 79th Cong., as amended by Pub. Law, 190, 79th Cong., 10 U. S. C. 42)

[SEAL] EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 47-6417; Filed, July 9, 1947; 8:49 a. m.]

Chapter VIII—Supplies and Equipment

PART 824—DISPOSITION OF NON-REPAIRABLE PROPERTY

REVOCATION OF REGULATIONS

Sections 824.101 to 824.110 are hereby revoked. These regulations are prescribed in Procurement Regulation No. 7, § 824.407, Part 824, Title 10, Code of Federal Regulations.

[AR 35-6590, May 22, 1942, as rescinded by W. D. Cir. 156, June 17, 1947] (41 Stat. 976; 50 U. S. C. 62)

[SEAL] EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 47-6415; Filed, July 9, 1947; 8:48 a. m.]

TITLE 12—BANKS AND BANKING

Chapter II—Federal Reserve System

Subchapter B—Federal Open Market Committee

PART 281—STATEMENTS OF POLICY

PURCHASE OF TREASURY BILLS

The following statement of policy was issued by the Federal Open Market Committee on July 2, 1947:

§ 281.1 *Purchase of Treasury bills.* The Federal Open Market Committee of the Federal Reserve System has directed the Federal Reserve Banks to terminate the policy of buying all Treasury bills offered to them at a fixed rate of ⅜ per cent per annum and to terminate the repurchase option privilege on Treasury bills. The new policy will apply to bills issued on or after July 10, 1947. Existing policy will continue to apply to bills issued prior to that date. (Sec. 205, 49 Stat. 705, as amended by sec. 1, 56 Stat. 647; 12 U. S. C. and Sup. 263)

FEDERAL OPEN MARKET COMMITTEE,
S. R. CARPENTER,
Assistant Secretary.

[F. R. Doc. 47-6393; Filed, July 9, 1947; 8:47 a. m.]

Chapter III—Federal Deposit Insurance Corporation

Subchapter D—Federal Credit Unions

CONTINUATION OF TRANSFER OF FUNCTIONS

CROSS REFERENCE: For continuation of transfer of functions with respect to Federal Credit Unions, from the Farm Credit Administration to the Federal Deposit Insurance Corporation, see section 401 of Reorganization Plan 1 of 1947, *supra.*

TITLE 24—HOUSING CREDIT

Chapter V—Federal Housing Administration

Subchapter F—National Mortgage Associations

PART 561—REGULATIONS UNDER TITLE III OF THE NATIONAL HOUSING ACT

HANDLING OF MORTGAGES

Section 561.10 (a) (2) is hereby amended to read as follows:

§ 561.10 *Investment of funds*—(a) *Real estate loans and purchase of mortgages.* * * *

(2) To purchase and sell any mortgages, or partial interests therein, which are insured under Title II and Title VI of such act.

(Secs. 301-308, 48 Stat. 1252-1255; 12 U. S. C. 1716-1723)

Issued at Washington, D. C., July 3, 1947.

RAYMOND M. FOLEY,
Federal Housing Commissioner.

[F. R. Doc. 47-6414; Filed, July 9, 1947; 8:48 a. m.]

Chapter VIII—Office of Housing Expediter

[Priorities Reg. 32, Revocation]

PART 803—PRIORITIES REGULATIONS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

INVENTORIES

Section 803.9, Priorities Regulation 32, is revoked, effective on June 30, 1947, simultaneously with the approval by the President of the Housing and Rent Act of 1947 (P. L. 129, 80th Cong.).

This revocation does not affect any liability incurred for violation of this section or any action taken by the Office of the Housing Expediter under this section.

(60 Stat. 207; 50 U. S. C. App. Sup. 1821, P L. 129, 80th Cong.)

Issued this 7th day of July 1947.

OFFICE OF THE HOUSING EXPEDITER,
By JAMES V SARCONE,
Authorizing Officer

[F. R. Doc. 47-6519; Filed, July 9, 1947; 11:55 a. m.]

TITLE 25—INDIANS

Chapter I—Office of Indian Affairs, Department of the Interior

Subchapter Q—Leases and Permits on Restricted Indian Lands

[Order 2342]

PART 171—LEASING OF INDIAN ALLOTTED AND TRIBAL LANDS FOR FARMING, GRAZING, AND BUSINESS

LEASING PRIVILEGES

Section 171.4 is amended to read as follows:

§ 171.4 *Leasing privilege.* Notwithstanding any provisions of this Part to the contrary, all adult Indians may negotiate farming and grazing leases on restricted Indian land owned by them or by their minor children. The rentals due under leases so negotiated shall be paid by the lessees of the land directly to the adult owners of the land or to the parents of the minor owners of the land except when the leases approved by the Superintendent or other officer in charge of the reservation provide otherwise. This privilege is revocable by the Superintendent or other officer in charge of the reservation at any time the individual Indian proves himself incompetent or irresponsible in the exercise of the privilege.

(R. S. 161, sec. 1, 31 Stat. 229; sec. 4, 36 Stat. 856, sec. 1, 41 Stat. 1232; 5 U. S. C. 22, 25 U. S. C. 393, 395, 403)

[SEAL] WILLIAM E. WARNE,
Assistant Secretary of the Interior

JULY 1, 1947.

[F. R. Doc. 47-6400; Filed, July 9, 1947; 8:48 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Subtitle A—Office of the Secretary of the Treasury

PART 1—OFFICE OF THE SECRETARY, AND BUREAUS, DIVISIONS, AND OFFICES PERFORMING CHIEFLY STAFF AND SERVICE FUNCTIONS

CONTINUATION OF TRANSFER OF FUNCTIONS OF OFFICE OF CONTRACT SETTLEMENT

CROSS REFERENCE: For the continuation of the transfer of the functions of the Office of Contract Settlement to the Secretary of the Treasury in the Treasury Department as set forth in § 1.1 (b) see section 201 of Reorganization Plan 1 of 1947, *supra.*

TITLE 32—NATIONAL DEFENSE

Chapter VII—Sugar Rationing Administration, Department of Agriculture

[Gen. Order 8]

PART 705—ADMINISTRATION

PRESERVATION OF RECORDS (RICE)

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority conferred upon the Secretary of Agriculture by Executive Order No. 9841, it is ordered:

§ 705.108 *Preservation of records, with respect to rice.* (a) All persons shall preserve for examination by the Department of Agriculture, until June 30, 1948, all records, documents, reports, books, accounts, invoices, sales lists, sales slips, orders, vouchers, contracts, receipts, bills of lading, correspondence, memoranda, and other papers, and drafts and copies thereof, which were required to be made or kept on or before June 30, 1947, with respect to rough rice or finished rice and rice milling by-products by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, or by any regulation, order or other document issued thereunder by the Price Administrator, Office of Price Administration, The Temporary Controls Administrator, Office of Temporary Controls or by the Secretary of Agriculture.

(b) *Definition.* When used in this order the terms:

(1) "Person" shall have the same meaning as in the Emergency Price Control Act of 1942, as amended.

(2) "Rough rice" shall have the same meaning as in Maximum Price Regulation 518.

(3) "Finished rice and rice milling by-products" shall have the same meaning as in Second Revised Maximum Price Regulation 150.

This order shall become effective June 30, 1947.

NOTE: The record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E. O. 9841, 12 F. R. 2645)

Issued this 8th day of July, 1947.

[SEAL] N. E. DODD,
Acting Secretary of Agriculture.

Opinion Accompanying General Order 8

Section 1 (b) of the Emergency Price Control Act of 1942, as amended, provides that as to offenses committed or rights or liabilities incurred on or before June 30, 1947, the provisions of the Emergency Price Control Act and all regulations, orders, price schedules and requirements issued thereunder shall be treated as remaining in force for the purpose of sustaining any proper suit, action, or prosecution with respect to any such right, liability or offense.

Executive Order 9841 transferred to the Secretary of Agriculture all powers with respect to price control over rice which had been vested in the Price Administrator.

In order to carry out the mandate of section 1 (b) of the Emergency Price Control Act of 1942, as amended, with respect to rice, it is necessary to require the preservation until June 30, 1948, of all records and documents pertaining to rice which were required to be kept on or before June 30, 1947. The accompanying order requires the continued preservation of such records.

[F. R. Doc. 47-6522; Filed, July 9, 1947; 11:58 a. m.]

[3d Rev. RO 3,[1] Amdt. 59]

PART 707—RATIONING OF SUGAR

SUGAR

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Third Revised Ration Order 3 is amended in the following respects:

1. Section 26.4 (a) is amended to read as follows:

(a) *Industrial users.* Any checks, valid for the delivery of sugar, as provided in section 26.3, received by an industrial user must be endorsed on the back and may be transferred to his supplier for the delivery of sugar or, if such user has been authorized to transfer ration evidences to another person for industrial use under the provisions of section 8.8, such checks may be transferred as authorized under that section.

2. Section 26.4 (b) is amended to read as follows:

(b) *Wholesalers.* A wholesaler who receives checks, valid for the delivery of sugar as provided in section 26.3, from an industrial user must keep such checks as part of his records as required by section 5 of General Ration Order 20.

3. Section 26.4 (c) is amended to read as follows:

(c) *Primary distributors.* A primary distributor who receives checks, valid for the delivery of sugar as provided in section 26.3, from an industrial user must keep such checks as part of his records as required by section 5 of General Ration Order 20.

4. The second sentence of section 26.6 is amended to read as follows:

However, no more than six checks may be issued in exchange for such check except that in the case of a multiple registration, six checks may be issued for each establishment registered together.

5. Section 26.7 is redesignated section 26.8 and a new section 26.7 is added to read as follows:

SEC. 26.7 *Industrial user who fails to close out his bank account by June 11.* (a) Any industrial user who did not close

[1] 11 F. R. 177, 14281.

out his ration bank account by June 11, 1947 in accordance with the provisions of section 26.2, may draw a check payable to the Sugar Rationing Administration for the balance in his account less outstanding checks and surrender such check, together with a letter stating that the check is one closing out his ration bank account and the reason why his ration bank account was not closed out within the time specified in section 26.2, to the Sugar Branch Office. The Sugar Branch Office, if it finds that such industrial user does have a ration bank account and that such account has not been closed, will authorize the issuance of a check or checks to such industrial user for the amount of the balance in his account less outstanding checks.

This amendment shall become effective July 8, 1947.

NOTE: The record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 8th day of July 1947.

[SEAL] N. E. DODD,
Acting Secretary of Agriculture.

Rationale Accompanying Amendment No. 59 to Third Revised Ration Order 3

This amendment will permit industrial users who receive checks issued by the Sugar Rationing Administration to either transfer such checks to another person for industrial use under the provisions of section 8.8 or to his supplier for the delivery of sugar.

This amendment also provides that in case an industrial user who has a combined registration, wishes to exchange a Sugar Rationing Administration check for checks in smaller denominations, he may receive not more than six checks for each establishment registered together. The previous limitation of only one check for each establishment registered together did not permit such establishment to acquire sugar in accordance with its general business practice. The issuance of not more than six checks for each establishment registered together will more adequately provide for the purchase and delivery of sugar by each establishment.

This amendment also sets up a procedure to be followed by an industrial user who failed to close out his bank account by June 11 in accordance with the provisions of section 26.2. Such industrial user may draw a check payable to the Sugar Rationing Administration for the balance in his account and surrender such check, together with a letter stating that the check is one closing out his ration bank account and the reason why his ration bank account was not closed out within the time specified to the Sugar Branch Office. The Sugar Branch Office will issue a check to such industrial user in exchange for the check surrendered by such user.

[F. R. Doc. 47-6521; Filed, July 9, 1947; 11:57 a. m.]

[3d Rev. RO 3,[1] Amdt. C0]

PART 707—RATIONING OF SUGAR

SUGAR

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Third Revised Ration Order 3 is amended in the following respect:

1. Section 26.8 is redesignated section 26.9, and a new section 26.8 is added to read as follows:

SEC. 26.8 *Procedure to be followed if delivery of sugar cannot be made to an industrial user who has a credit balance with a supplier.* (a) If an industrial user has deposited ration evidences with a retailer or wholesaler for the delivery of sugar and a delivery of sugar for all or part of the amount of such ration evidences cannot be or is not made by the retailer or wholesaler, the industrial user may request a refund of all or part of his credit balance. After such request has been made, the retailer or wholesaler must send a letter signed by such retailer or wholesaler to the D.V.I. Center covering his area stating as follows:

(1) Amount of the refund requested by the industrial user;

(2) Name and address of the industrial user requesting such refund;

(3) Amount of credit owing to such industrial user;

(4) That the supplier is deducting the amount of the refund requested from the credit balance of such industrial user;

(5) The name and address of the retailer or wholesaler.

The D. V. I. Center will issue a check payable to the industrial user for the amount of the refund requested and will notify the retailer or wholesaler that the check in the amount requested, has been issued to the industrial user.

(b) If an industrial user has deposited ration evidences with a primary distributor and a delivery of sugar for all or part of the amount of such evidences cannot be or is not made by the primary distributor, the primary distributor, upon request of the industrial user, may transfer a check issued by the Sugar Rationing Administration to the industrial user for all or part of the credit balance owing to such industrial user. Before such check is transferred, the primary distributor must fill in the name and address of the industrial user as payee and must endorse it by writing his name on the back of such check. In order to obtain Sugar Rationing Administration checks which may be used for the purpose of refund or as change under the provisions of this paragraph the primary distributor must apply in writing to the D. V. I. Center covering his area stating the number of checks of each denomination required (checks will be issued in denominations of 100,000 pounds, 10,000 pounds, 1,000 pounds and 100 pounds) and the amount of credit owing to industrial users he has on his books. The D. V. I. Center will issue the number of checks and in the denominations requested: *Provided, however* That in no event shall the total amount issued exceed 50% of the total industrial user credit balance owed by such primary distributor. The name and address of the payee of such checks will be left blank to be filled in by the primary distributor in accordance with the provisions of this paragraph. The primary distributor must send a report once a week to the D. V. I. Center stating the number of checks, the amount of each check and the name and address of the industrial user to whom such checks have been transferred by the primary distributor during that week.

This amendment shall become effective July 8, 1947.

NOTE: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 8th day of July 1947.

[SEAL] N. E. DODD,
Acting Secretary of Agriculture.

Rationale Accompanying Amendment No. 60 to Third Revised Ration Order 3

This amendment sets up a procedure to be followed if delivery of sugar cannot be made to an industrial user who has a credit balance with a supplier. Cases have arisen where a supplier is unable to deliver sugar at the time and in the amount requested by an industrial user who has a credit balance with such supplier. It is necessary, therefore, to provide some method whereby the industrial user may be able to obtain a refund of all or part of the credit balance which he has with a supplier who is unable to deliver sugar to him so that he may acquire sugar from some other supplier.

If a retailer or wholesaler, who owes ration credits to an industrial user, is unable to deliver sugar to such industrial user, such retailer or wholesaler must, upon request for a refund of such credit by the industrial user, write a letter to the Distribution, Verification and Issuance Center of the Sugar Rationing Administration stating the amount of the refund requested by the industrial user, the name and address of the industrial user requesting such refund, the amount of credit owing to such industrial user, the name and address of the retailer or wholesaler writing the letter and that the retailer or wholesaler is deducting the amount of the refund requested from the credit balance of the industrial user. The D. V. I. Center will issue a check to the industrial user in the amount requested and this check may be transferred by the industrial user to another supplier for the delivery of sugar.

If an industrial user has deposited ration evidences with a primary distributor who is unable to make a delivery for all or part of the amount of such evidences the primary distributor may, upon request of the industrial user, transfer a check issued by the Sugar Rationing Administration to the industrial

[1] 11 F. R. 177, 14281.

user for all or part of the credit balance owing to such industrial user so that the industrial user may acquire sugar from some other supplier. In order to obtain checks which may be used for this purpose, the primary distributor must apply in writing to the D. V I. Center covering his area stating the number of checks required and the amount of credit owing to industrial users he has on his books. The primary distributor must send a report once a week to the D. V. I. Center stating the number of checks, the amount of each check and the name and address of the industrial user to whom Sugar Rationing Administration checks have been transferred by the primary distributor.

[F R. Doc. 47-6520; Filed, July 9, 1947; 11:57 a. m.]

Chapter XX—Office of Contract Settlement

CONTINUATION OF TRANSFER OF FUNCTIONS

CROSS REFERENCE: For continuation of the transfer of contract settlement functions to the Secretary of the Treasury and the Department of the Treasury see section 201 of Reorganization Plan I of 1947, *supra.*

Chapter XXIII—War Assets Administration

TRANSFER OF FUNCTIONS

CROSS REFERENCE: For reorganization and transfer of functions of the War Assets Administration see sections 501 and 502 of Reorganization Plan 1 of 1947, *supra.*

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 203—BRIDGE REGULATIONS

SAN JOAQUIN RIVER BELOW PARADISE DAM, MIDDLE RIVER, BURNS CUT-OFF, POTATO SLOUGH, HONKER CUT, AND KING ISLAND CUT

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U. S. C. 499) paragraph (b) (5) of § 203.710 prescribing rules and regulations governing the operation of drawbridges across navigable waterways of the United States within the State of California, is hereby amended as follows:

§ 203.710 *State of California; bridge regulations for all navigable waterways of the United States within California, including San Francisco Bay and connected bays and river systems tributary thereto.* * * *

(b) *Special Regulations.* * * *

(5) *San Joaquin River below Paradise Dam, Middle River Burns Cut-Off, Potato Slough, Honker Cut, and King Island Cut.*

Stockton Port District railroad bridge across San Joaquin River between Rough and Ready Island and Stockton. Owners of vessels passing through this bridge are requested to notify the Director of the Port, Stockton, California, of the beginning and ending of the season of navigation for their vessels and of any contemplated trip of a vessel through this bridge, giving at least 12 hours' notice when practicable. When such notices are given, prompt opening of the draw upon proper signal will be insisted upon. Vessels making trips through this bridge without first notifying the Director of the Port may expect delays at the bridge, but every reasonable means shall be used to expedite openings at all times. A sign giving instructions as to where and how the bridge operator can be reached shall be posted in a conspicuous place on both the downstream and upstream side of the bridge.

San Joaquin County highway bridge across San Joaquin River between Rough and Ready Island and Stockton. Owners of vessels passing through this bridge are requested to notify the San Joaquin County Highway Department or County Surveyor at Stockton, California, of the beginning and ending of the season of navigation for their vessels and of any contemplated trip of a vessel through this bridge, giving at least 12 hours' notice when practicable. When such notices are given, prompt opening of the draw upon proper signal will be insisted upon. Vessels making trips through this bridge without first notifying the San Joaquin County Highway Department or County Surveyor may expect delays at the bridge, but every reasonable means shall be used to expedite openings at all times. A sign giving instructions as to where and how the bridge operator can be reached shall be posted in a conspicuous place on both the downstream and upstream side of the bridge.

* * * * *

San Joaquin County highway bridge across King Island Cut between King Island and Bishop Tract. Owners of vessels passing through this bridge are requested to notify the San Joaquin County Highway Department or County Surveyor at Stockton, California, of the beginning and ending of the season of navigation for their vessels and of any contemplated trip of a vessel through this bridge, giving at least 12 hours' notice when practicable. When such notices are given, prompt opening of the draw upon proper signal will be insisted upon. Vessels making trips through this bridge without first notifying the San Joaquin County Highway Department or County Surveyor may expect delays at the bridge, but every reasonable means shall be used to expedite openings at all times. A sign giving instructions as to where and how the bridge operator can be reached shall be posted in a conspicuous place on both the downstream and upstream side of the bridge.

San Joaquin County highway bridge across Honker Cut between Empire Tract and King Island. During the months of September, October, and November, and during such periods as crop movements may justify, or during periods when, in the opinion of the District Engineer, an emergency exists which requires a draw tender in constant attendance, this bridge shall, upon proper signal, be opened promptly for the passage of vessels unable to pass under the closed bridge. In the event that the crop moving season is started earlier than September 1 or extended later than November 30, the period for prompt opening of the bridge upon the prescribed signal shall be adjusted accordingly, provided the operators of vessels navigating this waterway give 15 days' written notice to the San Joaquin County Highway Department or County Surveyor at Stockton, California, that such adjustment is necessary to take care of the contemplated traffic.

During the periods not specified above, prompt opening of the bridge may be assured only after previously notifying the San Joaquin County Highway Department or County Surveyor of any contemplated trip through this bridge, giving at least 12 hours' notice when practicable. When previous notice, including the time of the intended passage, is given, prompt opening of the bridge upon proper signal will be insisted upon. Vessels making trips through this bridge without first notifying the bridge owners as provided above may expect delays at the bridge, but every reasonable means shall be used to expedite openings at all times. A sign giving instructions as to where and how the bridge operator can be reached shall be posted in a conspicuous place on both the downstream and upstream side of the bridge.

[Regs. June 11, 1947, CE 823.01—ENGWR] (28 Stat. 362; 33 U. S. C. 499)

[SEAL] EDWARD F WITSELL,
Major General,
The Adjutant General.

[F R. Doc. 47-6416; Filed, July 9, 1947; 8:48 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter II—Forest Service, Department of Agriculture

PART 251—LAND USES

EXERCISE OF MINERAL RIGHTS RESERVED IN CONVEYANCES TO THE UNITED STATES

Pursuant to the provisions of the act of March 1, 1911 (36 Stat. 961), as amended, particularly by the act of March 4, 1913 (37 Stat. 855) and of the act of March 20, 1922 (42 Stat. 465), as amended, I, N. E. Dodd, Acting Secretary of Agriculture, do hereby order that conveyance to the United States of title to lands under the provisions of the acts above cited, or of any acts of similar character heretofore or hereafter enacted, which reserve the right to enter upon the conveyed lands and to prospect for, to mine and remove minerals, oil, gas or other inorganic substances, hereafter shall embody or be made subject to the following conditions, rules and regulations:

§ 251.15 *Conditions relating to removal of minerals from lands conveyed to the United States under the acts of*

March 1, 1911 (36 Stat. 961) as amended, and March 20, 1922 (42 Stat. 465) as amended. (a) Whoever undertakes to exercise the reserved rights shall give prior notice to the Forest Supervisor in charge of the lands and shall submit to him satisfactory evidence of authority to exercise such rights. Only so much of the surface of the lands shall be occupied, used or disturbed as is necessary in bona fide prospecting for, drilling, mining (including the milling or concentration of ores) and removal of the reserved minerals, oil, gas or other inorganic substances. No permit, as provided for in paragraph (b) of this section will be required for preliminary examination or exploration to determine the existence of the reserved minerals, oil, gas or other inorganic substances which will involve only transient and non-exclusive occupancy and only small excavations, test pits or borings, but such activities shall be subject to the general national forest rules and regulations.

(b) None of the lands in which minerals are reserved shall be so used, occupied or disturbed as to preclude their full use for national forest purposes until the record owner of the reserved rights, or the successors, assigns, or lessees thereof, shall have applied for and received from the Forest Supervisor having jurisdiction a permit authorizing such use, occupancy or disturbance of those specifically described parts of the lands as may reasonably be necessary to exercise of the reserved rights. Said permit shall be issued by the Forest Supervisor upon agreement as to the lands to be covered thereby and conditions necessary to protect national forest interests, and upon initial payment of the annual fee, which shall be at the rate of $2.00 per acre, or fraction of acre included in the permit. Failure to comply with the terms and conditions of the aforesaid permit shall terminate all rights to use, occupy or disturb the surface of the lands covered thereby, but in event of such termination a new permit shall be issued upon application when the causes for termination of the preceding permit have been satisfactorily remedied and the United States reimbursed for any resultant damage to it.

(c) All structures, other improvements and materials shall be removed from the lands within one year after date of termination of the aforementioned permit, or of an alternative permit, if any, issued under regulations applicable to national forest lands, and all such structures, improvements or materials not so removed shall become the property of the United States.

(d) Timber or young growth necessarily removed or utilized in connection with exercise of reserved rights shall be paid for (1) if merchantable at the rates charged in the locality for comparable national forest timber or (2) otherwise at the rates currently assigned by the Forest Supervisor to comparable growth in appraisals of lands to be acquired for national forest purposes. Other timber shall be cut or removed only pursuant to sale agreements or permits issued in accordance with national forest rules and regulations. All slash resulting from cutting or destruction of timber or young growth shall be disposed of as required by the Forest Supervisor.

(e) If exercise of the reserved rights results in stripping, collapse or other damage to the land or to improvements thereon, the record owner of the reserved rights, or the successors, assigns or lessees thereof, shall repair or replace the improvements damaged or destroyed, and/or restore the land to a condition safe and reasonably serviceable for usual national forest purposes, and prior to commencement of the work which will cause such result shall so notify the Forest Supervisor and provide such bond or cash deposit as will in the opinion of the Forest Supervisor guarantee such repair, replacement or restoration; or, the record owner of the reserved rights, or the successors, assigns or lessees thereof, may deposit in a cooperative fund such amounts as are estimated by the Forest Supervisor to be necessary to accomplish the aforesaid repair or replacement of improvements or restoration of the land, which cooperative deposits shall be available for expenditure by the United States for said purposes with refund to the depositor of the amount, if any, in excess of the cost of such repair, replacement or restoration, and related supervision. Where reserved minerals will be extracted by means of shafts, tunnels, pits or wells, provisions for fencing, covering, filling or plugging thereof upon termination of the mining activities may be required by the Forest Supervisor, together with delivery of acceptable bond, or such requirement may be met through payment into a cooperative fund of the amounts estimated by the Forest Supervisor to be necessary to fulfill said requirement, which deposits shall be available for expenditure by the United States for the purposes for which deposited, with refund to the depositor of the amount, if any, in excess of the cost of the required work.

(f) In the prospecting for, mining and removal of reserved minerals, oil, gas or other inorganic substances all reasonable provisions shall be made for the disposal of tailings, dumpage and other deleterious materials or substances in such manner as to prevent obstruction, pollution or deterioration of springs, streams, ponds or lakes.

(g) Nothing contained in this section shall be construed to exempt operators or the mining operations from any requirements of applicable state laws nor from compliance with or conformity to any requirements of any law which later may be enacted and which otherwise would be applicable.

(h) While any activities and/or operations incident to the exercise of the reserved rights are in progress the operators, contractors, sub-contractors and any employees thereof who work on the national forest shall use due diligence in the prevention and suppression of fires, shall comply with all national forest rules and regulations, and shall be available for service in the suppression of fires within a reasonable distance of said operations: *Provided*, That if such fires do not originate from the operations incident to exercise of the reserved rights, and do not threaten structures, improvements or property employed in or related to such operations, services in fire suppression so rendered shall be paid for at the current rates of fire fighters employed by the United States. (Sec. 9, 36 Stat. 962 as amended, 16 U. S. C. 518)

NOTE: The above section is a revision of §§ 251.15 and 251.16. Section 251.16 is herewith canceled.

All regulations heretofore issued by the Secretary of Agriculture to govern the exercise of mineral rights reserved in conveyances to the United States shall continue to be effective in the cases to which they are applicable, but are hereby superseded as to mineral rights hereafter reserved.

In testimony thereof I have hereunto set my hand and official seal at the City of Washington this 3d day of July 1947.

[SEAL] N. E. DODD,
Acting Secretary of Agriculture.

[F. R. Doc. 47-6497; Filed, July 9, 1947; 8:48 a. m.]

PROPOSED RULE MAKING

FEDERAL SECURITY AGENCY

Public Health Service

[42 CFR, Part 11]

FOREIGN QUARANTINE

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that it is proposed to amend the Foreign Quarantine Regulations of the Public Health Service (Part 11, 42 CFR; 11 F. R. 5327)

(1) To enumerate communicable diseases the presence of which may make a vessel or aircraft subject to quarantine inspection under the provisions of § 11.46 (b) (1),

(2) To provide in § 11.66 that persons held under observation pursuant to the provisions of Subpart F of the regulations may be held at facilities of the Public Health Service or on vessels in quarantine;

(3) To make more specific the requirements of § 11.82 (d) regarding food on cholera-infected vessels and aircraft;

(4) To extend the vaccination and related provisions of § 11.87 (b) to all persons who do not present satisfactory evidence of either a previous attack of smallpox or successful vaccination within three years prior to arrival;

(5) To exempt from the present permit requirements of § 11.152 (b) persons who bring in psittacine birds for retention in

their households as pets and to extend the application of that section to birds brought into ports under the control of the United States;

(6) To provide that excluded psittacine birds shall, pending their disposition, be detained at the expense of the owner (§ 11.153)

(7) To extend the present rule governing the importation of pet cats, dogs and monkeys (§ 11.154) to all cats, dogs and monkeys, require pre-arrival detention for monkeys put aboard in endemic yellow fever areas and for monkeys coming from such areas, exempt from rabies immunization requirements cats, dogs and monkeys brought in for research purposes when immunization would interfere with their use for such purposes, exempt from the requirements of this section cats, dogs and monkeys brought in from Bermuda and Eire, and make the provisions of paragraph (b) of this section applicable to cats, dogs, and monkeys brought in from Australia and New Zealand;

(8) To extend the present provisions for the disposition of excluded pet cats, dogs and monkeys to all cats, dogs and monkeys (§ 11.155)

Interested persons may submit, in writing, views, data, and arguments on the foregoing to the Surgeon General, Public Health Service, Washington 25, D. C., at any time prior to 30 days after publication of this notice in the FEDERAL REGISTER.

(Secs. 215, 361–369, inclusive, 58 Stat. 690, 703–706; 42 U. S. C., Sup. IV, 216, 264–272, inclusive)

[SEAL] THOMAS PARRAN,
Surgeon General.

Approved: July 3, 1947.

MAURICE COLLINS,
Acting Federal Security Administrator

[F. R. Doc. 47-6418; Filed, July 9, 1947; 8:49 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Misc. 1996985]

LOUISIANA

NOTICE OF FILING OF PLAT OF SURVEY

JULY 2, 1947.

Notice is given that the plat of survey of lands hereinafter described will be officially filed in the Bureau of Land Management, Washington 25, D. C., effective at 10:00 a. m. on September 3, 1947. At that time the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from September 3, 1947 to December 2, 1947 inclusive, the public lands affected by this notice shall be subject to (1) application under the homestead law, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a) as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279–283) subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Application by such veterans shall be subject to claims of the classes described in subdivision (2)

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from August 14, 1947 to September 3, 1947 inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on September 3, 1947 shall be treated as simultaneously filed.

(c) *Date for non-preference-right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on December 2, 1947 any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference-right filings.* Applications by the general public may be presented during the 20-day period from November 12, 1947 to December 2, 1947 inclusive, and all such applications, together with those presented at 10:00 a. m. on December 2, 1947 shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Bureau of Land Management, Washington 25, D. C., shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that Title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and application under the small tract act of June 1, 1938, shall be governed by the regulations contained in Part 257 of that Title.

Inquiries concerning these lands shall be addressed to the Director, Bureau of Land Management, Washington 25, D. C.

The lands affected by this notice are described as follows:

LOUISIANA MERIDIAN

T. 20 S., R. 25 E.,
Sec. 28, lot 1;
Sec. 31, lot 1.

The areas described aggregate 25.08 acres.

It appears from the plat and field notes of survey that the islands described are swamp and overflowed within the meaning of the acts of March 2, 1849 (9 Stat. 352), and September 28, 1850 (9 Stat. 519). Should the lands finally be determined to be swamp and overflowed in character, they must be held to have inured to the State as of the dates of the grants.

FRED W JOHNSON,
Director

[F. R. Doc. 47-6401; Filed, July 9, 1947; 8:48 a. m.]

INTERSTATE COMMERCE COMMISSION

[S. O. 396, Special Permit 228]

RECONSIGNMENT OF APRICOTS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 396 (10 F. R. 15008) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Chicago, Ill., July 1, 1947, by Chas. Abbate, of cars PFE 71943 and ART 18570, apricots, now on the C&NW to New York, N. Y. (Erie)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of July 1947.

HOMER C. KING,
Director
Bureau of Service.

[F. R. Doc. 47-6403; Filed, July 9, 1947; 8:48 a. m.]

[S. O. 396, Special Permit 229]

RECONSIGNMENT OF ONIONS AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 396 (10 F. R. 15008) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Kansas City, Mo., July 2, 1947, by Dan Storey & Co., of car MDT 146077, onions, now on the Frisco Railway to United Fruit & Produce Co., St. Louis, Mo. (Mo. Pac.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 2d day of July 1947.

HOMER C. KING,
Director
Bureau of Service.

[F. R. Doc. 47-6404; Filed, July 9, 1947; 8:48 a. m.]

[Rev. S. O. 620, Special Permit 7]

LIGHTWEIGHING OF CARS AT NORFOLK, VA., AND NEW YORK, N. Y.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Revised Service Order No. 620 (12 F. R. 641) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 620 insofar as it applies to the lightweighing at Norfolk, Va., and New York, N. Y., of cars for loading with imported logs.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of July 1947.

HOMER C. KING,
Director
Bureau of Service.

[F. R. Doc. 47-6405; Filed, July 9, 1947; 8:48 a. m.]

[S. O. 761]

UNLOADING OF TALKING MACHINES AT BOSTON, MASS.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 3d day of July A. D. 1947.

It appearing, that car NYC 92052, containing talking machines, at Boston, Mass., on the Boston and Albany Railroad (The New York Central Railroad Company, lessee) has been on hand for an unreasonable length of time and that the delay in unloading said car is impeding its use; in the opinion of the Commission an emergency exists requiring immediate action. It is ordered, that:

(a) *Talking machines at Boston, Mass., be unloaded.* The Boston and Albany Railroad (The New York Central Railroad Company, lessee) its agents or employees, shall unload immediately car NYC 92052, containing talking machines, on hand at Boston, Massachusetts.

(b) *Demurrage.* No common carrier by railroad subject to the Interstate Commerce Act shall charge or demand or collect or receive any demurrage or storage charges, for the detention under load of any car specified in paragraph (a) of this order, for the detention period commencing at 7:00 a. m., July 7, 1947, and continuing until the actual unloading of said car or cars is completed.

(c) *Provisions suspended.* The operation of any or all rules, regulations, or practices, insofar as they conflict with the provisions of this order, is hereby suspended.

(d) *Notice and expiration.* Said carrier shall notify Homer C. King, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire.

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911, 49 U. S. C. 1 (10)-(17), 15 (2))

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 47-6402; Filed, July 9, 1947; 8:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-735]

CONSUMERS GAS CO.

ORDER GRANTING REQUEST FOR EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 1st day of July 1947.

Consumers Gas Company, a subsidiary of The United Gas Improvement Company, a registered holding company, having requested a one year extension (to July 2, 1948) of the time fixed by our order of July 2, 1943 (Holding Company Act Release No. 4409) as extended by our orders of June 16, 1944, June 21, 1945 and July 1, 1946 (Holding Company Act Release Nos. 5110, 5876, 6753) within which Consumers Gas Company may purchase a maximum of 800 shares of capital stock of Reading Gas Company from non-affiliated interests as shares become available for purchase; and

Consumers Gas Company having stated that to date 370 shares of the capital stock of Reading Gas Company have been purchased, and that an additional one year extension is desired in order to consummate the said purchase program; and

It appearing to the Commission that the requested extension of time is not unreasonable or detrimental to the public interest or the interests of investors or consumers;

It is ordered, That Consumers Gas Company be, and hereby is, granted an additional period of one year from July 2, 1947 within which to consummate the proposed purchase program covered by our order of July 2, 1943, subject, however, to the same conditions and reservation of jurisdiction as are imposed by said order.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 47-6391; Filed, July 9, 1947; 8:45 a. m.]

[File Nos. 70-1134, 70-1135 and 59-12]

AMERICAN POWER & LIGHT CO. ET AL.

ORDER GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 2nd day of July A. D. 1947.

In the matter of American Power & Light Company, Texas Utilities Company, File No. 70-1134; American Power & Light Company, Texas Utilities Company, and Electric Power & Light Corporation, File No. 70-1135; Electric Bond and Share Company, American Power & Light Company, National Power & Light Company, et al., Respondents, File No. 59-12.

The Commission having heretofore, on October 24, 1945, entered an order granting and permitting to become effective certain joint applications and declara-

tions of American Power & Light Company ("American") a registered holding company subsidiary of Electric Bond and Share Company ("Bond and Share") also a registered holding company, and American's wholly owned subsidiary, Texas Utility Company, subject to the terms and conditions of an agreement and stipulation set forth in full in the findings and opinion of the Commission of that date, and which stipulation and agreement, among other things, provides that American will within one year from the date of the said order (unless the Commission extends such time) sever its relations with Texas Utilities Company and the subsidiaries of that Company, and irrevocably and finally dispose of all of its interest, direct or indirect, therein, either by disposition among American's stockholders, or by a sale or otherwise in a manner found by the Commission to be appropriate. Said stipulation and agreement further containing specific provisions relating to the carrying out by American of said commitment and the enforcement thereof by the Commission as more fully set forth at length therein; and

American and Bond and Share having on September 6, 1946, filed an application with the Commission pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for approval of a plan for retirement of American's outstanding preferred stock through exchange of certain portfolio securities of American or by specified cash payments, which plan, American states, is designed to result in the disposition by American of its interest in Texas Utilities Company and other subsidiaries of that Company; and

The Commission having on January 24, 1947 entered an order extending the time in which American shall comply with said order of October 24, 1945 until June 30, 1947, subject to certain reservations of jurisdiction; and

American having on May 22, 1947 filed an application requesting the Commission (a) to further extend the time within which American be required to comply with the terms and conditions of said order of October 24, 1945, and the provisions of the aforesaid stipulation and agreement, until further order of the Commission to be entered after reasonable notice to American, and (b) that the Commission consolidate the application for an extension with the pending proceeding on the joint plan, and grant a temporary extension until it disposes of such application; and

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that the time within which American be required to comply with the aforementioned Order of October 24, 1945 and the stipulation and agreement entered into by American, be extended until December 31, 1947, subject to the reservation of jurisdiction described below; but that the particular request for extension of time as set forth above and the request for consolidation with the pending proceeding under section 11 (e) should be denied;

It is ordered, That the time within which American shall comply with said order of October 24, 1945 and the stipulation and agreement entered into by American is hereby extended until December 31, 1947, subject, however, to the reservation of jurisdiction to terminate, after notice and opportunity for hearing, such extension prior to December 31, 1947, if during such extended period the Commission shall issue an order disapproving the section 11 (e) plan filed by American and Bond and Share on September 6, 1946 and described above, or if such plan shall be withdrawn by either Bond and Share or American.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 47-6392; Filed, July 9, 1947; 8:45 a. m.]

[File No. 70-1271]

COLUMBIA GAS & ELECTRIC CORP. AND THE DAYTON POWER & LIGHT CO.

ORDER RELEASING JURISDICTION OVER LEGAL FEES AND EXPENSES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 1st day of July 1947.

The Commission by orders dated May 23, 1946 and June 7, 1946 having granted and permitted to become effective a joint application-declaration filed by Columbia Gas & Electric Corporation ("Columbia") a registered holding company, and Columbia's public utility subsidiary, The Dayton Power & Light Company ("Dayton") pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935, regarding the sale at competitive bidding, pursuant to the requirements of Rule U-50, of Columbia's holdings of the common stock of Dayton, and having in said orders reserved jurisdiction over all legal fees and other expenses in connection therewith;

Further information having been filed concerning the nature and extent of the legal services rendered, and the fees proposed to be paid therefor;

It appearing to the Commission that the fee of Cowden, Pfarrer & Crew, counsel for Dayton, in the amount of $17,500 (of which $12,500 is to be paid by Columbia and $5,000 by Dayton, the latter in consideration of services rendered in connection with an amendment to Dayton's Articles of Incorporation as a preliminary step to the public distribution of the Dayton stock) and the fee of Davis, Polk, Wardwell, Sunderland & Kiendl, counsel for the underwriters, in the amount of $15,000, are not unreasonable and that jurisdiction over such matters should be released:

It is ordered, That jurisdiction heretofore reserved over the payment of legal fees of Cowden, Pfarrer & Crew and Davis, Polk, Wardwell, Sunderland & Kiendl be, and the same hereby is, released.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 47-6393; Filed, July 9, 1947; 8:47 a. m.]

[File No. 70-1341]

COLUMBIA GAS & ELECTRIC CORP. AND CINCINNATI GAS & ELECTRIC CO.

ORDER RELEASING JURISDICTION OVER FEES AND EXPENSES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 1st day of July 1947.

The Commission having by Orders dated August 13, 1946 and August 22, 1946 granted and permitted to become effective a joint application-declaration filed by Columbia Gas & Electric Corporation ("Columbia") and its public utility subsidiary, The Cincinnati Gas & Electric Company ("Cincinnati"), pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935, regarding the disposition by Columbia of its holdings of the common stock of Cincinnati through an underwritten offering to Columbia's stockholders, and having in said orders reserved jurisdiction over all legal fees and other expenses in connection therewith;

Further information having been filed with respect to the nature and extent of services of counsel in connection with the transaction, the fees to be paid therefor, and the expenses for which reimbursement is requested;

It appearing to the Commission that the fee of $12,500 of Peck, Shaffer & Williams is not unreasonable and that jurisdiction over such matter should be released:

It is ordered, That jurisdiction heretofore reserved over the payment of the legal fees of Peck, Shaffer & Williams be, and the same hereby is, released.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 47-6394; Filed, July 9, 1947; 8:46 a. m.]

[File No. 70-1343]

COLUMBIA GAS & ELECTRIC CORP.

ORDER RELEASING JURISDICTION OVER LEGAL FEES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 1st day of July 1947.

The Commission by orders entered in this proceeding on August 28, 1946 and September 11, 1946 having permitted to become effective the declaration, as amended, filed by Columbia Gas & Electric Corporation, a registered holding company, pursuant to sections 6, 7, and 12 of the Public Utility Holding Company Act of 1935 and Rules U-42 and U-50 promulgated thereunder, regarding the issuance and sale of $77,500,000 principal amount of Debentures due 1971 and $20,000,000 principal amount of ten-year Serial Debentures (Holding Company Act Release Nos. 6866 and 6885), and

The Commission having in said orders reserved jurisdiction with respect to the payment of all legal fees and expenses of counsel in connection with the proposed transactions; and

An amendment having been filed setting forth the nature and extent of the legal services rendered, the fees proposed to be paid therefor and the expenses for which reimbursement is requested;

It appearing to the Commission that the legal fees and expenses of counsel set forth in Table I below, are not unreasonable and that jurisdiction over such matters should be released:

TABLE I

	Fees	Expenses	Total
Hunton, William, Anderson, Gay & Moore	$500	$17.89	$517.89
Hinman, Howard & Kattell	500	25.00	525.00
Huckin & Huckin	200	11.82	211.82
Eagleson & Laylin	1,500		1,500.00
Total	2,700	54.71	2,754.71

It is ordered, That the jurisdiction heretofore reserved in the orders of August 28, 1946 and September 11, 1946 with respect to the payment of legal fees and expenses of Hunton, Williams, Anderson, Gay & Moore; Hinman, Howard & Kattell; Huckin & Huckin; Eagleson & Laylin be, and the same hereby is, released, and that the reservation of jurisdiction be continued as respects all other legal fees and expenses of counsel.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 47-6395; Filed, July 9, 1947; 8:46 a. m.]

[File No. 70-1448]

IOWA-ILLINOIS GAS AND ELECTRIC CO. AND THE UNITED LIGHT AND RAILWAYS CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 2d day of July 1947.

Iowa-Illinois Gas and Electric Company ("Iowa-Illinois") and its parent, The United Light and Railways Company ("Railways") a registered holding company, having filed a joint application and declaration and amendments thereto pursuant to sections 6, 7, 9, 10, 12 (c) and 12 (f) of the Public Utility Holding Company Act of 1935 and the rules and regulations thereunder regarding the issue and sale at competitive bidding of $22,000,000 principal amount of First Mortgage Bonds, __% Series due 1977 and the issue and sale by Iowa-Illinois, and the purchase by Railways, of 35,000 additional authorized but unissued shares of common stock of Iowa-Illinois having a par value of $100 per share for a cash consideration of $3,500,000; and

Iowa-Illinois having requested that the order of the Commission become effective forthwith in order to avoid any delay in calling its outstanding bonds; and

A public hearing having been held on said amended application and declaration and the Commission having considered the record and made and filed its findings and opinion herein; and

It appearing to the Commission that it is appropriate that the company's request that the order become effective forthwith be granted:

It is ordered, That the application, as amended, and the declaration, as amended, be granted and permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24 and to the condition that the proposed transactions shall not be consummated until the results of competitive bidding pursuant to Rule U-50 shall have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record so completed, jurisdiction being reserved for this purpose.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 47-6393; Filed, July 9, 1947; 8:46 a. m.]

[File No. 70-1534]

THE POTOMAC EDISON CO. AND NORTHERN VIRGINIA POWER CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE AND GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 1st day of July A. D. 1947.

The Potomac Edison Company ("Potomac"), a registered holding company, and its public utility subsidiary company, Northern Virginia Power Company ("Northern Virginia"), having filed a joint declaration and application, as amended, pursuant to sections 6 (a), 7, 9 (a) 10, 12 (d) and 12 (f) of the Public Utility Holding Company Act of 1935 and rules U-43 and U-44 promulgated thereunder with respect to the following transactions:

Northern Virginia proposes to issue and sell 4,630 shares of its authorized and unissued common stock, par value $100 per share, and Potomac proposes to acquire such shares for a cash consideration of $463,000, the aggregate par value thereof.

Potomac now owns all of the outstanding capital stock and long-term debt of Northern Virginia, consisting of 50,370 shares of common stock, par value $100 per share, 1,500 shares of 7% Preferred Stock, par value $100 per share, and $100,000 principal amount of open account advances. Such shares of common stock are presently pledged under the Indenture of Potomac dated as of October 1, 1944, securing its First Mortgage and Collateral Trust Bonds, 3% Series due 1974. The additional shares of common stock of Northern Virginia to be acquired by Potomac will be pledged under said Indenture in accordance with the requirements thereof.

Northern Virginia proposes to use the proceeds from the sale of such additional shares of Common Stock to pay its indebtedness to Potomac and for the construction of extensions, additions and improvements to its property, plant and equipment.

Said declaration and application having been filed on May 22, 1947, notice of said filing having been duly given in the manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said declaration and application, as amended, within the period specified in said notice or otherwise, and not having ordered a hearing thereon, and

The declarant and applicant having requested that the Commission's order herein become effective forthwith, and the Commission deeming it appropriate to grant said request; and

The Commission finding with respect to said declaration and application, as amended, that the requirements of the applicable provisions of the act and the rules thereunder are satisfied and that no adverse findings are necessary thereunder, and deeming it appropriate in the public interest and in the interests of investors and consumers that said declaration and application, as amended, be permitted to become effective and granted;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said act, and subject to the terms and provisions prescribed in Rule U-24, that said declaration and application, as amended, be, and the same hereby are, respectively, permitted to become effective and granted forthwith.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 47-6389; Filed, July 9, 1947; 8:45 a. m.]

[File No. 70-1553]

ATLANTIC CITY ELECTRIC CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 1st day of July A. D. 1947.

Notice is hereby given that an application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Atlantic City Electric Company ("Atlantic City"), an electric utility subsidiary of American Gas and Electric Company ("American Gas"), a registered holding company. Applicant-declarant designates sections 6, 7, and 12 (c) of the act and Rule U-42 thereunder as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than July 10, 1947 at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said application-declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Phila-

delphia 3, Pennsylvania. At any time after July 10, 1947, said application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof.

All interested persons are referred to said application-declaration which is on file in the offices of this Commission, for a statement of the transactions therein proposed which are summarized as follows:

Atlantic City has entered into a credit agreement whereby the banks named below will make loans to Atlantic City in the aggregate amounts shown below during the period from the effective date of said agreement to September 1, 1950. Of the aggregate amount of $3,600,000 which the banks are obligated to lend, $2,000,000 will be borrowed and notes will be issued therefor, within 10 days after the effective date of the agreement in the amounts shown below. The remaining $1,600,000 may be borrowed as needed and notes issued therefor subject to approval by the Board of Public Utility Commissioners of the State of New Jersey and this Commission.

Name of bank	Amount of commitment	Amount of immediate loan
Guaranty Trust Co., of New York	$1,800,000	$1,000,000
Irving Trust Co.	1,800,000	1,000,000
Total	3,600,000	2,000,000

The proposed loans will be evidenced by promissory notes maturing December 31, 1950 and are to bear interest from their respective issue dates at the rate of 1½% per annum for the period from the effective date of the agreement to a date two years from such effective date, and at the rate of 1¾% per annum during the period commencing two years from the effective date to maturity. Atlantic City will pay to each bank a commitment fee of ¼ of 1% per annum until August 31, 1950 on the daily average unused amount which such bank is obligated to lend. Loans shall be made simultaneously from the banks on three days' notice, and may be prepaid on 10 days' notice, such loans and prepayments to be borne by or made ratably to both banks. Atlantic City may, on 10 days' notice to the banks, terminate or reduce pro-rata in the aggregate amount of $100,000 or multiples thereof, the obligations of the banks to make the loans provided for in the agreement.

Applicant-declarant states that from the proceeds of the immediate borrowing in the amount of $2,000,000 it will repay its outstanding 1½% note, due September 11, 1947, in the amount of $1,000,000. It is further stated that the balance of the proposed loans is necessary to provide funds to enable applicant-declarant to proceed with its construction program and that any plan for long-term financing will provide for payment of the then outstanding notes issued under the credit agreement.

Atlantic City has applied to the Board of Public Utility Commissioners of the State of New Jersey, the State in which Atlantic City was organized and is doing business, for an order approving the proposed transactions. In the event of approval of the proposed transactions by the New Jersey Commission, a copy of the order of said Commission will be filed by amendment herein.

The application-declaration requests that the Commission's order granting the application and permitting the declaration herein, to become effective be issued at the earliest practicable date and that it shall be effective forthwith.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 47-6390; Filed, July 9, 1947; 8:45 a. m.]

[File No. 70-1558]

THE UNITED GAS IMPROVEMENT CO. AND ALLENTOWN-BETHLEHEM GAS CO.

NOTICE OF FILING OF APPLICATION-DECLARATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 1st day of July 1947.

Notice is hereby given that a joint application-declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by The United Gas Improvement Company ("UGI") a registered holding company, and a subsidiary public utility company, Allentown-Bethlehem Gas Company ("Allentown") designating section 12 of the act and Rule U-45 promulgated thereunder as applicable to the proposed transaction.

Notice is further given that any interested person may, not later than July 18, 1947, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reason for such request and the issue of fact or law raised by said joint application-declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon; that such request should be addressed: Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, and that at any time after July 18, 1947, said joint application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 of the rules and regulations promulgated under the act.

All interested persons are referred to said joint application-declaration, which is on file in the offices of this Commission, for a statement of the transactions therein proposed which are summarized as follows:

UGI, the owner of all the outstanding common capital stock of Allentown, proposes to make a cash contribution not to exceed $600,000 to Allentown in order to create capital surplus in sufficient amount, which together with earned surplus at June 30, 1947 will enable Allentown to write off the balance of utility plant adjustments amounting to $912,370, which is the balance of such adjustments, resulting from a determination of the original cost of its utility plant after charging $250,000 of such adjustments to reserve for depreciation, renewals and replacements. It is stated that Allentown's proposal for the disposition of its utility plant adjustment account was approved by order of the Pennsylvania Public Utility Commission dated June 9, 1947.

Allentown proposes to use the funds to be received from UGI to pay off bank loans amounting to $325,000 and apply the balance toward the payment of capital additions presently underway or contemplated for the remaining months of 1947.

Applicants-declarants have requested entry of the Commission's order on or before July 25, 1947.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 47-6397; Filed, July 9, 1947; 8:46 a. m.]

[File No. 70-1559]

NATIONAL FUEL GAS CO. ET AL.

NOTICE OF FILING APPLICATION-DECLARATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 1st day of July 1947.

In the matter of National Fuel Gas Company, United Natural Gas Company, and Iroquois Gas Corporation, File No. 70-1559.

Notice is hereby given that a joint application-declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935; by National Fuel Gas Company (National), a registered holding company, and its public utility subsidiaries, United Natural Gas Company (United) and Iroquois Gas Corporation (Iroquois), designating sections 6, 7, 10 and 12 of the act and Rules U-45 and U-50 (a) (2) promulgated thereunder as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than July 14, 1947, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reason for such request and the issue of fact or law raised by said joint application-declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon; that such request should be addressed: Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania; and that at any time after July 14, 1947, said joint application-declaration, as filed or as amended, may be granted and permitted to become effec-

tive as provided in Rule U-23, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100, of the rules and regulations promulgated under the act.

All interested persons are referred to said joint application-declaration, which is on file in the offices of this Commission, for a statement of the transactions therein proposed which are summarized as follows:

National has entered into a credit agreement with Chase National Bank, in the City of New York, whereby the bank will make loans to National in an aggregate amount not to exceed $6,500,000 from the effective date of the agreement to July 1, 1950, with the right on the part of National to terminate the arrangement at any time on thirty days' notice.

The proposed loans are to be evidenced by promissory notes to be issued at various dates on or after July 15, 1947, are to be of three months maturity, and are to bear interest at the rate of 1½% per annum to July 1, 1949 and at the rate of 1¾% per annum thereafter. National will pay Chase a commitment fee of ¼ of 1% per annum on the average daily unused amount which Chase is obligated to lend.

National proposes to extend to two of its wholly-owned subsidiaries, United and Iroquois, a line of credit of up to but not to exceed at any one time $5,000,000 and $1,500,000, respectively, which the subsidiaries may borrow, renew and repay from time to time during the period July 1, 1947 to June 30, 1948. The loans of the two subsidiaries are to be evidenced by promissory notes to be issued from time to time during the period July 1, 1947 to June 30, 1948, are to bear interest at the rate of 1½% per annum, and are to mature three months from date of issue, or June 30, 1948, whichever shall be earlier. Each subsidiary agrees to pay the parent a commitment fee of ¼ of 1% per annum on the daily average unused amount which the parent is obligated to lend to each subsidiary.

It is stated that the proposed loans are necessary to provide funds to enable United and Iroquois to make needed additions to their natural gas transmission systems and to proceed with construction programs which are urgently required to meet an increased demand for natural gas which has developed in their operating territories. It is further stated that the proposed indebtedness of the three companies is to be refunded within a period of approximately one year as a part of a program of long-term financing which will also cover additional expenditures necessary to be made during the years 1948 and 1949.

Applicants-declarants request an acceleration of the Commission's order to be entered with respect to the proposed transactions so that funds may be available not later than July 15, 1947.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 47-6396; Filed, July 9, 1947; 8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 9118]

ERNEST SEIFERT

In re: Bank account owned by Ernest Seifert. F-28-26076-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ernest Seifert, whose last known address is Glauchau, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows: That certain debt or other obligation owing to Ernest Seifert, by American Trust Company, 464 California Street, San Francisco 20, California, arising out of a Checking Account, entitled Ernest Seifert, maintained at the branch office of the aforesaid bank located at 1011 10th Street, Sacramento, California, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 28, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-6419; Filed, July 9, 1947; 8:49 a. m.]

[Vesting Order 9119]

MRS. MARIANNE STAHL

In re: Bank account owned by Mrs. Marianne Stahl. F-28-26084-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Mrs. Marianne Stahl, whose last known address is Holstein, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation owing to Mrs. Marianne Stahl, by American Trust Company, 464 California Street, San Francisco 20, California, arising out of a Savings Account, Account Number 7108, entitled Mrs. Marianne Stahl, maintained at the branch office of the aforesaid bank located at Livermore, California, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 28, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-6420; Filed, July 9, 1947; 8:49 a. m.]

[Vesting Order 9149]

OTTO BENGSCH

In re: Claims owned by Otto Bengsch. F-28-20517-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Otto Bengsch, whose last known address is Entin, Holstein, Germany, is a resident of Germany and a national of a designated enemy country (Germany).

2. That the property described as follows: The claim or claims of Otto

Bengsch against the State of New York and the Comptroller of the State of New York, arising by reason of the collection or receipt by said Comptroller, pursuant to the provisions of the Abandoned Property Law of the State of New York, of the following:

(1) That sum of money previously on deposit with Central Savings Bank in the City of New York, 2100 Broadway, New York, New York, in a savings account, Account Number 66,064 entitled Otto Bengsch in trust for Ingrid Bengsch;

and any and all rights to file with said Comptroller, demand, enforce and collect the aforesaid claim or claims,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Otto Bengsch, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 29, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director

[F. R. Doc. 47-6421; Filed, July 9, 1947; 8:49 a. m.]

[Vesting Order 9153]

CARL J. AND MRS. CORA ISABEL DUNCKER

In re: Bank accounts owned by Carl J. Duncker and Mrs. Cora Isabel Duncker. D-28-664-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Carl J. Duncker and Mrs. Cora Isabel Duncker, whose last known addresses are Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the property described as follows:

a. That certain debt or other obligation owing to Carl J. Duncker and Mrs. Cora Isabel Duncker, by The Chase National Bank of the City of New York, 20 Pine Street, New York, N. Y., arising out of a Checking Account, entitled Carl J. Duncker or/ Mrs. Cora Isabel Duncker, and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation owing to Mrs. Cora Isabel Duncker, by The Chase National Bank of the City of New York, 20 Pine Street, New York, N. Y., arising out of a Checking Account, entitled Mrs. Cora Isabel Duncker, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 29, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director

[F. R. Doc. 47-6422; Filed, July 9, 1947; 8:49 a. m.]

[Vesting Order 9157]

AKIRA GUNJI ET AL.

In re: Bank accounts owned by Akira Gunji, also known as A. Gunji, and others. D-39-3416-E-1, D-39-5706-E-1, D-39-9974-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the persons listed in Exhibit A, attached hereto and by reference made a part hereof, each of whose last known address is as set forth in Exhibit A, are residents of Japan and nationals of a designated enemy country (Japan)

2. That the property described as follows: Those certain debts or other obligations owing to the persons listed in Exhibit A, by The Bank of California, National Association, 400 California Street, San Francisco 20, California, arising out of Checking Accounts, entitled as set forth in Exhibit A, maintained at the branch office of the aforesaid bank located at 815 2d Avenue, Seattle, Washington, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of or owing to, or which is evidence of ownership or control by, the persons listed in Exhibit A, the aforesaid nationals of a designated enemy country (Japan),

and it is hereby determined:

3. That to the extent that the persons referred to in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 29, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director

EXHIBIT A

Name and Last Known Address of Owner and Title of Account

Akira Gunji, also known as A. Gunji—Japan. A. Gunji.

S. Kashio, also known as Seiichiro Kashio—Japan. S. Kashio.

Shuntaro Okawa, also known as S. Okawa—Japan. S. Okawa.

[F. R. Doc. 47-6423; Filed, July 9, 1947; 8:50 a. m.]

[Vesting Order 9158]

AQUARIUM HAMBURG

In re: Debt owing to Aquarium Hamburg. F-28-4336-C-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Aquarium Hamburg, the last known address of which is Hamburg, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany),

2. That the property described as follows: That certain debt or other obligation owing to Aquarium Hamburg, by Paramount Aquarium, Inc., 61 Whitehall Street, New York 4, N. Y., in the amount of $4,632.00, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 29, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director

[F. R. Doc. 47-6424; Filed, July 9, 1947; 8:50 a. m.]

[Vesting Order 9160]

ANNE HASUIKE ET AL.

In re: Bank accounts owned by Anne Hasuike, Donald Hasuike and Jean Hasuike and Mrs. G. S. Hasuike, also known as May M. Hasuike. F-39-18843-E-1, F-39-18844-E-1, F-39-18845-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Anne Hasuike, Donald Hasuike, Jean Hasuike, and Mrs. G. S. Hasuike, also known as May M. Hasuike, whose last known addresses are Japan, are residents of Japan and nationals of a designated enemy country (Japan)

2. That the property described as follows: That certain debt or other obligation of Security First National Bank of Los Angeles, 6th and Spring Streets, Los Angeles 54, California, arising out of a Savings Account, Account Number 63445, entitled May M. Hasuike, trustee for Anne Hasuike, a minor, maintained at the branch office of the aforesaid bank located at Burbank, California, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Anne Hasuike and Mrs. G. S. Hasuike, also known as May M. Hasuike, the aforesaid nationals of a designated enemy country (Japan),

3. That the property described as follows: That certain debt or other obligation of Security First National Bank of Los Angeles, 6th and Spring Streets, Los Angeles 54, California, arising out of a Savings Account, Account Number 59572, entitled Mrs. G. S. Hasuike, trustee for Donald Hasuike, a minor, maintained at the branch office of the aforesaid bank located at Burbank, California, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Donald Hasuike and Mrs. G. S. Hasuike, also known as May M. Hasuike, the aforesaid nationals of a designated enemy country (Japan)

4. That the property described as follows: That certain debt or other obligation of Security First National Bank of Los Angeles, 6th and Spring Streets, Los Angeles 54, California, arising out of a Savings Account, Account Number 59571, entitled Mrs. G. S. Hasuike, trustee for Jean Hasuike, a minor, maintained at the branch office of the aforesaid bank located at Burbank, California, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Jean Hasuike and Mrs. G. S. Hasuike, also known as May M. Hasuike, the aforesaid nationals of a designated enemy country (Japan),

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 29, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-6425; Filed, July 9, 1947; 8:50 a. m.]

[Vesting Order 9163]

META LUHRS

In re: Debt owing to Meta Luhrs. D-28-5161-A-1.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Meta Luhrs, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation owing to Meta Luhrs, by The Pacific States Savings and Loan Company and/or the Building and Loan Commissioner, 475 Market Street, San Francisco, California, evidenced by a Full Paid Investment Certificate Number FP16-21200 of the Pacific States Savings and Loan Association, 745 Market Street, San Francisco, California, in the amount of $798.69, as of March 26, 1946, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 29, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-6427; Filed, July 9, 1947; 8:50 a. m.]

[Vesting Order 9176]

CARLOS WEBER

In re: Bank account owned by Carlos Weber. F-28-27815-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Carlos Weber, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation owing to Carlos Weber, by The National City Bank of New York, 55 Wall Street, New York, N. Y., arising out of a Checking Account, entitled Mr. Carlos Weber, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 29, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director

[F. R. Doc. 47-6429; Filed, July 9, 1947; 8:50 a. m.]

[Vesting Order 9161]

BERTHA KRUEGER ET AL.

In re: Bank accounts owned by Bertha Krueger and others.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That each individual, whose name is set forth in Exhibit A, attached hereto and by reference made a part hereof, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation owing to each individual, whose name is set forth in Exhibit A, by The First National Bank of Chicago, Dearborn, Monroe and Clark Streets, Chicago, Illinois, arising out of the savings accounts, described in the manner set forth in Exhibit A, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the persons referred to in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 29, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director

EXHIBIT A

Names of owners and titles of accounts	Account No.	OAP file No.
Bertha Krueger	1,355,633	F-28-19691-E-1
Mrs. Minna Belde	1,357,721	F-28-25585-E-1
Margarethe Carstens	1,351,994	F-28-25494-E-1
Ludwig Christiansen	1,354,038	F-28-25502-E-1
Mrs. Margaret Danz	1,348,292	F-28-25169-E-1
Dora Dehnbostel	1,350,702	F-28-25172-E-1
Friedrich Gustav Deichmann	1,350,701	F-28-25174-E-1
Hermann Deichmann	1,350,704	F-28-25173-E-1
Juliane Domel	1,339,714	F-28-25425-E-1
Wilhelm Enders	1,350,161	F-28-25258-E-1
Gregor Endres	1,351,551	F-28-25257-E-1
Johanne Fischer	1,352,351	F-28-25249-E-1
Marie Gebers	1,350,714	F-28-25616-E-1
Margaretha Germann	1,351,992	F-28-25605-E-1
Adolph Hanke	1,375,592	F-28-25745-E-1
Emil Hanke	1,375,590	F-28-25744-E-1
Karl Hanke	1,375,598	F-28-25743-E-1
Martin Hanke	1,375,593	F-28-25742-E-1
Paul Hanke	1,375,595	F-28-25741-E-1
Reinhold Hanke	1,375,597	F-28-25746-E-1
Richard Hanke	1,375,596	F-28-25740-E-1
Johannes Hartmann	1,350,074	F-28-25345-E-1
Ludwig Hartmann	1,350,077	F-28-25752-E-1
Maria Hartmann	1,350,078	F-28-25751-E-1
Anna Hassmueller	1,350,393	F-28-25760-E-1
Balbina Herbst	1,350,396	F-28-25782-E-1
Rosa Heumer	1,350,945	F-28-25772-E-1
Linda Kaerner	1,350,745	F-28-28139-E-1
Elizabeth Langstengel	1,350,944	F-28-26521-E-1
Emma Meyer	1,350,703	F-28-25263-E-1
George Reinhardt	1,350,942	F-28-26241-E-1
Julius Reinhardt	1,350,933	F-28-26242-E-1
Eduard Riesing	1,355,634	F-28-19690-E-1
Julius Riesing	1,355,632	F-28-19689-E-1
Babette Schlegelmilch	1,350,939	F-28-26141-E-1
Bernhard Schleupner	1,375,587	F-28-25489-E-1
Erna Schleupner	1,375,585	F-28-25927-E-1
Wanda Scholze	1,368,874	F-28-25946-E-1
Helen Sternke	1,347,033	F-28-25937-E-1
Martha Tatzel	1,375,591	F-28-25530-E-1
Regina Treutwein	1,350,395	F-28-25561-E-1
Elsa Johanna Henriette Wagner	1,364,823	F-28-26538-E-1
Marie Weil	1,352,230	F-28-26490-E-1
Mrs. Anna Wellendorf	1,352,811	F-28-25697-E-1

[F. R. Doc. 47-6426; Filed, July 9, 1947; 8:50 a. m.]

[Vesting Order 9167]

NIPPON MENKWA KABUSHIKI KAISHA

In re: Debt owing to Nippon Menkwa Kabushiki Kaisha. F-39-593-A-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Nippon Menkwa Kabushiki Kaisha, the last known address of which is Osaka, Japan, is a corporation, partnership, association or other business organization, organized under the laws of Japan, and which has or, since the effective date of Executive Order No. 8389, as amended, has had its principal place of business in Japan and is a national of a designated enemy country (Japan)

2. That the property described as follows: That certain debt or other obligation owing to Nippon Menkwa Kabushiki Kaisha by Anderson, Clayton & Co., P O. Box 2538, Houston, Texas, in the amount of $7,935.63, as of March 31, 1947, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 29, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director

[F. R. Doc. 47-6428; Filed, July 9, 1947; 8:50 a. m.]

[Vesting Order 9200]

BECK & CO.

In re: Portion of a bank account owned by Beck & Co.

Under the authority of the Trading with the Enemy Act, as amended, Execu-

tive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Beck & Co., the last known address of which is am Deich 49, Bremen, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany)

2. That dividends for the last two quarters of 1941 on five hundred (500) shares of no par value capital stock of Cerveceria Nacional Dominicana, Inc., then registered in the name of Beck & Co., aggregating $1,750, were paid to The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, for deposit in an account in the name of Maatschappij voor Buitenlandschen Handel "Mijbuh" N. V., Amsterdam, Holland

3. That the property described as follows: That certain debt or other obligation of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, in the amount of $1,750, constituting a portion of an account entitled Maatschappij voor Buitenlandschen Handel "Mijbuh" N. V., Amsterdam, Holland, maintained at the aforesaid bank, together with any and all rights to demand, enforce and collect the same,

represents dividends declared and paid on the shares of stock described in subparagraph 2 hereof for the last two quarters of 1941 and is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Beck & Co., the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 29, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director

[F. R. Doc. 47-6430; Filed, July 9, 1947; 8:50 a. m.]

[Vesting Order 9247]

MALVINA BUCHHOLZER

In re: Estate of Malvina Buchholzer, deceased. File F-57-169; E. T. sec. 5526.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ernst Buchholzer, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That Liesbeth Buchholzer and Helene Buchholzer Burmaz, whose last known address is Rumania, are residents of Rumania and nationals of a designated enemy country (Rumania),

3. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof in and to the estate of Malvina Buchholzer, deceased, is property payable or deliverable to, or claimed by the aforesaid national of a designated enemy country (Germany),

4. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 2 hereof in and to the estate of Malvina Buchholzer, deceased, is property payable or deliverable to, or claimed by the aforesaid nationals of a designated enemy country (Rumania),

5. That such property is in the process of administration by Genevieve McQuaid and Rudolph Buchholzer, Jr., executors, acting under the judicial supervision of the Probate Court of Cuyahoga County, Ohio;

and it is hereby determined:

6. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

7. That to the extent that the persons named in subparagraph 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Rumania)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 27, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General, Director, Office of Alien Property.

[F. R. Doc. 47-6431; Filed, July 9, 1947; 8:51 a. m.]

[Vesting Order 9253]

MAYER MOSTEL

In re: Estate of Mayer Mostel, deceased. File No. D-65-41; E. T. sec. 781.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Leon Wilhelm Mostel, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That all right, title, interest and claim of any kind or character whatsoever of the person identified in subparagraph 1 hereof in and to the estate of Mayer Mostel, deceased, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany)

3. That such property is in the process of administration by Treasurer of the City of New York, as Depositary, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York;

and it is hereby determined:

4. That to the extent that the person identified in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 27, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General, Director Office of Alien Property.

[F. R. Doc. 47-6433; Filed, July 9, 1947; 8:51 a. m.]

[Vesting Order 9264]

BERTHA WALTERS

In re: Estate of Bertha Walters, deceased. File 017-21612.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Katherine Walter, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the sum of $300.00 was paid to the Attorney General of the United

States by Gladys S. Mannheimer, Executrix of the Estate of Bertha Walters, deceased;

3. That the said sum of $300.00 is presently in the possession of the Attorney General of the United States and was property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which was evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

This vesting order is issued nunc pro tunc to confirm the vesting of the said property in the Attorney General of the United States by acceptance thereof on March 7, 1947, pursuant to the Trading with the Enemy Act, as amended.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 27, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 47-6434; Filed, July 9, 1947; 8:51 a. m.]

[Vesting Order 9266]

DINA WESSELS

In re: Estate of Dina Wessels, deceased. File D-28-11411, E. T. sec. 15634.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ludwig Barthelme, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the sum of $182.24 was paid to the Attorney General of the United States by Albert Wessels, Executor of the Estate of Dina Wessels, deceased;

3. That the said sum of $182.24 is presently in the possession of the Attorney General of the United States and was property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which was evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

This vesting order is issued nunc pro tunc to confirm the vesting of the said property in the Attorney General of the United States by acceptance thereof on December 20, 1946, pursuant to the Trading with the Enemy Act, as amended.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 27, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 47-6435; Filed, July 9, 1947; 8:51 a. m.]

[Vesting Order 9276]

CHIZO AND YOSHIKO KAKU

In re: Stock and a bank account owned by Chizo Kaku and Yoshiko Kaku. F-39-4374-E-1, F-39-4374-D-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Chizo Kaku and Yoshiko Kaku, whose last known addresses are Osaka, Japan, are residents of Japan and nationals of a designated enemy country (Japan),

2. That the property described as follows:

a. Twenty-one (21) shares of $12.50 par value common capital stock of Bank of America, National Trust and Savings Association, 300 Montgomery Street, San Francisco, California, evidenced by certificates numbered A50151 for thirteen (13) shares, and F87350 for eight (8) shares, registered in the name of Chizo Kaku, together with all declared and unpaid dividends thereon, and

b. That certain debt or other obligation owing to Chizo Kaku and Yoshiko Kaku, by Bank of America, National Trust and Savings Association, 300 Montgomery Street, San Francisco, California, arising out of a Savings Account, Account Number 4359, entitled Chizo or Yoshiko Kaku, maintained at the branch office of the aforesaid bank located at 552 Montgomery Street, San Francisco, California, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Japan),

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest.

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 27, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 47-6436; Filed, July 9, 1947; 8:51 a. m.]